



Date: Monday, 7 August 2017

**Sixth item on the agenda: A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008**

**Reports of the Committee for Fundamental Principles and Rights at Work <sup>1</sup>**

*Contents*

	<i>Page</i>
Summary of proceedings .....	1
Introduction.....	2
Opening statements.....	3
High-level discussion on strengthening fundamental principles and rights at work in the international arena.....	32
Discussion of the draft resolution and conclusions.....	37
Closing remarks .....	47

<sup>1</sup> The proposed resolution submitted by the Committee for adoption by the Conference is published in *Provisional Record* No. 11-1.



---

## Summary of proceedings

1. The Committee for Fundamental Principles and Rights at Work, established by the International Labour Conference at its first sitting on 5 June 2017, was originally composed of 183 members (88 Government members, 28 Employer members and 67 Worker members). To achieve equality of strength, each Government member entitled to vote was allotted 469 votes, each Employer member 1,474 votes and each Worker member 616 votes. The composition of the Committee was modified three times during the session and the number of votes attributed to each member adjusted accordingly.<sup>2</sup>

2. The Committee elected its Officers as follows:

*Chairperson:* Mr S. Ndebele (Government member, South Africa)  
at its first sitting

*Vice-Chairpersons:* Ms R. Hornung-Draus (Employer member, Germany)  
and Mr K. Ross (Worker member, United States)  
at its first sitting

*Reporter:* Ms V. Lopez (Government member, Paraguay)  
at its third sitting

3. At its fifth sitting the Committee appointed a Drafting Group to prepare and submit a draft outcome document for its review. It was composed as follows:

*Government members:* Ms V. Asempapa (Ghana), Ms A. Belaid (Morocco),  
Ms K. Sparding (United States), Ms C. Castro (Argentina),  
Ms C. Hughes (Australia), Mr P. Turner (New Zealand),  
Ms A. Gatt (Malta), Mr M. Mara (Czech Republic)

*Employer members:* Ms R. Hornung-Draus (Germany), Ms D. Rudelli (France),  
Mr E. Potter (United States), Ms C. Peraffan Londono  
(Colombia), Mr B. Munthali (Malawi), Mr Y. Badassou (Togo),  
Mr D. Grozier (Australia), Mr R. Dubey (India)

*Worker members:* Mr K. Ross (United States), Ms M. Kraamwinkel (Netherlands),  
Mr M. Yaou (Niger), Ms M. Keyter (South Africa),  
Mr G. Zucotti (Argentina), Mr S. Russell (United Kingdom),  
Mr Y. Veyrier (France), Ms R. Mackintosh (New Zealand)

<sup>2</sup> The modifications were as follows:

- (a) 6 June: 187 members (104 Government members with 75 votes each, 8 Employer members with 975 votes each and 75 Worker members with 104 votes each);
- (b) 7 June: 200 members (107 Government members with 902 votes each, 11 Employer members with 8,774 votes each and 82 Worker members with 1,177 votes each); and
- (c) 13 June: 156 members (110 Government members with 7 votes each, 11 Employer members with 70 votes each and 35 Worker members with 22 votes each).

- 
4. The Committee had before it Report VI, entitled *Fundamental principles and rights at work: From challenges to opportunities*, prepared by the International Labour Office (hereinafter the Office report) for consideration under the sixth item on the agenda of the 106th Session of the International Labour Conference: “A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008” (2008 Declaration).
  5. The Committee held seven sittings.

## Introduction

6. In his opening statement, the Chairperson noted that the ILO Declaration of Fundamental Principles and Rights at Work, 1998 (1998 Declaration), remained highly relevant almost 20 years after its adoption and close to the centenary of the ILO in 2019. The 1998 Declaration had become one of the ILO’s most widely referenced instruments to eliminate all forms of exploitation. It provided a foundation for its vision of decent work for all and obliges all member States, independently from their level of economic development, to respect and promote the four core principles as they enshrine universal rights. The Chairperson referred to the framework for action adopted by the Governing Body for 2012 to 2016 and expressed his expectation that the work of the Committee would guide constituents and the Office on addressing challenges and identifying priorities for future action.
7. Adherence to the values of fundamental principles and rights at work (FPRW) was critical in attaining decent work. Although progress in some member States was slow, because of resource constraints and the overwhelming presence of the informal economy, which impeded the already weak capacity of many governments to administer measures, it was necessary to steadfastly pursue the realization of those rights as a goal. He invoked the spirit of Nelson Mandela, the first president of an independent South Africa, whose perseverance in his struggles against great odds had led to the founding of the republic and whose actions now stood as models to be emulated.
8. In closing, the Chairperson reiterated the objectives of the Committee and outlined the key elements of the workplan and deliberations, which were intended to lead to the adoption of conclusions, for presentation to the plenary session of the Conference.
9. The representative of the Secretary-General (Mr Moussa Oumarou) presented the different chapters of the report and gave examples of global trends over the previous five years. He elaborated on the context and looked forward to the discussion with a view to preparing the grounds for the next ILO Plan of Action on FPRW. The report reviewed progress made since 2012, took stock of the ratification process of fundamental Conventions, evaluated ILO cooperation and analysed the new challenges faced by the ILO to implement FPRW in the context of the informal economy, global supply chains, non-standard forms of employment (NSFE), export processing zones (EPZs) and situations of fragility and conflict. The new global estimates on child labour and forced labour would be released in September 2017 and would inform the discussions of the IV Global Conference on the Sustained Eradication of Child Labour to be hosted by Argentina in November 2017. A projection of current trends indicated that the respective targets of the 2030 Agenda for Sustainable Development (2030 Agenda) would not be met. He emphasized the opportunity to mainstream FPRW into existing and new partnerships with UN organizations and with global and regional economic institutions, as well as into trade agreements, and proposed to focus the discussion on how the ILO and its constituents could bring that Agenda forward. He invited the Committee to focus the debate on the three discussion points provided in the report.

---

## Opening statements <sup>3</sup>

10. The Worker Vice-Chairperson highlighted the fact that FPRW were universal, inalienable, indivisible, interdependent and interrelated human rights. The ILO Constitution, the Declaration of Philadelphia, the 2008 Declaration and previous discussions constituted common ground for future action, particularly in achieving fairer outcomes of globalization for all and shaping a protective regulatory framework.
11. Ten years after the adoption of the 2008 Declaration, globalization had intensified but unemployment, inequalities, precarious work, high levels of informality, unequal participation of women in the labour market, fragility and conflict situations revealed an alarming crisis in the rule of labour law throughout the world. Restrictions on freedom of association and collective bargaining perpetuated poverty, discrimination, child labour and forced labour, and contributed to rising economic and political instability. People around the world were losing faith in governments and institutions as they did not perceive that international conventions were implemented and changed their lives positively, and spaces for democratic participation were shrinking. With xenophobia and chauvinism on the rise, there was a clear and urgent need to take action.
12. Such action needed to take into account the indivisible nature of FPRW and their character as both rights and enabling conditions, which were necessary for the full realization of the mutually supportive strategic objectives, including a strong emphasis on freedom of association and collective bargaining as being vital for realizing the four strategic objectives of decent work. Notwithstanding some progress and even though they had been agreed upon in principle, the Workers' group observed a lack of will or capacity to implement all FPRW in practice, for example, in trade agreements, investment and donor policies, and in negotiations with international financial institutions.
13. He therefore urged the ILO to intensify its efforts to promote universal ratification before the ILO centenary in 2019 and constituents to commit to double their implementation efforts. That could be done through ensuring respect for all FPRW throughout the ILO's operations, including in new partnerships with the public and private sectors. Member States should drive for more policy coherence in promoting regulation of labour markets as part of economic policies. The Sustainable Development Goals (SDGs), particularly Goal 8, represented an opportunity for the ILO to promote such coherence, since decent work, labour rights and economic growth were connected as elements of an integrated approach to the rule of law and due diligence in the global economy. The specific role of the ILO should lie in the promotion and monitoring of freedom of association, collective bargaining, social dialogue and tripartism as effective means to achieve sustainable development. The Global Deal, initiated by Sweden, should be welcomed in this regard.
14. The ILO was well positioned to play a lead role as the custodian of decent work and all FPRW in the global economy and also in the framework of the G20, the Business 20 and the Labour 20. The Workers' group was looking forward to drafting with all Committee members, in good faith negotiations, a plan to advance the Decent Work Agenda and FPRW in particular. It was time now to deliver an action plan for global prosperity, democracy, peace and security.

<sup>3</sup> Unless otherwise specified, all statements made by Government members on behalf of regional groups or intergovernmental organizations are reported as having been made on behalf of all government members of the group or organization in question who are Members of the ILO and are attending the Conference.

- 
- 15.** The Employer Vice-Chairperson reiterated the Employers' group's strong commitment to, and support for, FPRW as set out in the 1998 Declaration, the 2008 Declaration and, in particular, the conclusions and recommendations of the 2016 Conference discussion on the Evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008.
  - 16.** Regarding the overall purpose of the Committee's work, as suggested by the conclusions of the 2016 Conference discussion, a differentiated approach was necessary in order to achieve a better understanding of the diverse realities and needs of member States and thus, to assess implementation and inform future action. As such, it was vital for the Committee to follow that approach and focus on the specific needs and circumstances of each country. She observed that the report contained hardly any information about the differentiated and specific realities and needs of member States, given that the Committee was tasked with looking at how the ILO could learn from its existing activities and help national governments overcome their domestic challenges, regardless of ratification status. In that regard, the Committee's discussion would bear fruit if it focused on: reviewing trends in the realization of FPRW in the context of the 1998 Declaration, not according to the letter and legal aspects of the eight Conventions which, as the Declaration itself noted, had their own "supervisory mechanisms" that should not be "impeded". She emphasized the importance of maintaining the tripartite consensus, which had been the basis for the 1998 Declaration. The discussion should therefore focus on the core elements of FPRW and examine how, in concrete and practical terms, the Office and ILO constituents could do better in promoting and realizing FPRW, with clear, specific and achievable suggestions that reflected the complexities and differences of the country contexts, focusing on capacity building rather than on compliance, and ensuring policy coherence with other international frameworks.
  - 17.** She stated that the report included topics that could jeopardize consensus in the Committee's work. For instance, it gave an overly negative picture of global realities such as labour migration and diverse forms of work without adequately spelling out their positive characteristics. The report also underestimated the fact that many of the economic and social challenges originated outside the workplace and were caused by problems of a political nature. It did not provide a differentiated analysis regarding employment contracts and made biased assertions on industrial relations and collective bargaining. She also drew the Committee's attention to the importance of policy coherence, while at the same time highlighting the difficulties faced by international organizations in following that approach and the importance of keeping the ILO's mandate within its tripartite structure. The report included topics that fell outside the scope of the recurrent discussion (for example, minimum wages). It referred to the work of the Committee of Experts but not to the Conference Committee on the Application of Standards. It included a focus on "global supply chains", which had been discussed in the 105th Session of the International Labour Conference, and it paid little attention to the realities of small and medium-sized enterprises (SMEs), where most workers were employed, and their capacity to implement FPRW.
  - 18.** The Government member of Malta, speaking on behalf of the European Union (EU) and its Member States (hereinafter referred to as the EU and its Member States), stressed that FPRW were key to decent work, sustainable development and to societies. There were significant gaps still to be addressed, primarily the fact that half of the world's workers were not covered by freedom of association and collective bargaining, and estimates pointed to excessively large numbers in child labour and forced labour (168 million and 21 million, respectively). Moreover, considerable discrimination in workplaces, including unequal gender relations, still remained a reality.
  - 19.** The EU considered that the discussion should be balanced on all four pillars of FPRW and pay particular attention to ratification and implementation of the eight fundamental Conventions and the Protocol of 2014 to the Forced Labour Convention, 1930

---

(2014 Protocol). It was also important to take into account the specific challenges encountered in the informal and rural economy, global supply chains and EPZs, and to explore the suitability and feasibility of integrating occupational safety and health (OSH) into FPRW, as it related to the life, health and dignity of workers. Further, from the EU perspective it was important to foster coordination for the successful promotion and effective implementation of FPRW and delivery of the 2030 Agenda, with specific reference to SDG target 8.7. She added that the aim should be to reach action-oriented conclusions to serve as a basis for a new plan of action on FPRW. It was important to assess what worked and what did not in the 2012–16 action plan; she suggested looking at: the importance of data, research and capacity building; the role of Decent Work Country Programmes (DWCPs) and development cooperation; the links to trade, financial institutions and businesses; cooperation with other international organizations; and the means necessary to achieve the objectives.

20. The Government member of Ethiopia, speaking on behalf of the Africa group, underlined that the Africa region was almost at universal ratification of the core Conventions, with eight ratifications remaining in a few member States. However, action was still needed because what remained was the realization of those goals. Even though the African economy had grown by 5 per cent each year on average over the previous decade, including during the economic crisis, that growth was not linked with the implementation of FPRW. He noted that the report pointed to non-achievement of some targets related to development cooperation, standards and capacity building by 2016 and said that further efforts were necessary in that regard.
21. The Government member of Norway highlighted the fact that the present discussions were taking place in a challenging context, with high levels of unemployment and growing inequalities globally, issues that had notably been raised by the Worker Vice-Chairperson. Member States needed to recommit to FPRW, and in particular to freedom of association and collective bargaining (FACB), which were enabling rights. It was also essential to mainstream all four categories of FPRW in the actions taken across the Organization, which would necessarily incorporate work on global supply chains and on NSFE.
22. The Government member of Colombia underlined the importance of the 1998 Declaration, which was an integral part of the Colombian peace agreement signed in 2016. The agreement required strengthening of decent work and workers' rights and placed specific emphasis on social dialogue in rural areas. Rural areas had suffered most from the conflict, so a progressive plan had been developed to strengthen rural workers' labour rights, which included social protection linked to formalization, employment and income opportunities for women, people with disabilities and local communities.
23. The Government member of Belgium supported the statement made on behalf of the EU and its Member States. FPRW were at the heart of the discussion in different committees of the International Labour Conference, as well as of the future of work. They formed part of the multilateral work on the 2030 Agenda and also of the UN Guiding Principles on Business and Human Rights. It was essential to reinforce the efforts aimed at ratification of the eight core Conventions, especially 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), particularly in global supply chains. EPZs were covered in the report but given the increasing number of workers affected, those areas needed more attention. It was possible to include FPRW in national agreements and multinational trade agreements; the ILO should be consulted in the negotiation process. Moreover, she advocated that rights to health and security should also be included in FPRW.

- 
24. The Government member of the United States acknowledged the mutually reinforcing nature of the four thematic areas of FPRW and expressed appreciation for the Office's work to implement the 2012–16 plan of action to advance them. The purpose of the impending discussions, she said, was to inform priority setting, and future programme, budget, and governance decisions for the ILO.
  25. The Government member of India emphasized the critical role played by the ILO in protecting labour rights and bringing about many workplace improvements to promote the Decent Work Agenda in member States. He reflected on the challenges arising from the changing global economic situation and emerging business systems and signalled the need to discuss the modalities and measures to ensure protection of fundamental rights of the worker.
  26. The Government member of Japan emphasized elimination of discrimination in employment and occupation. He focused on the issue of gender equality and highlighted the Government's commitment to promoting the active participation of women, which was a top priority; government policies in that regard had achieved very positive results. He underscored the need to give due consideration to the particular characteristics of people with disabilities in the workplace. The Government of Japan was diligently pursuing policies and currently had a very low rate of unemployment of workers with disabilities. Japan was not only actively promoting FPRW domestically but was also providing international technical cooperation to member States, especially in Asia.
  27. The Government member of Ghana endorsed the statement made on behalf of the Africa group. She noted that Ghana had faced its fair share of challenges in implementing the plan of action on the fundamental principles and rights at work; nevertheless, noteworthy progress had been made. The country had made significant headway through the development of robust tripartite relations across the employment space, the adoption and implementation of comprehensive labour laws and regulations, and general respect for fundamental human rights.
  28. The Government member of Australia explained the work that her Government had done since the previous recurrent discussion on the subject in 2012. Progress had been made in realizing the fundamental principles and implementing the 2012–16 framework of action. Australia had increased legal protection for migrant workers, launched a national action plan to combat human trafficking and slavery, and introduced flexible working arrangements to enable women's participation in the workforce. Nevertheless, more work was needed across the region to address decent work deficits, and she reiterated the commitment of the Government to work with its regional neighbours and the ILO and to address them.
  29. The Government member of Kenya supported the statement made on behalf of the Africa group. He expressed appreciation for the ILO's sustained pursuit of universal recognition of, respect for and promotion of FPRW, through an integrated and strategic framework, with the aim of ensuring the delivery of social justice and sustainable development globally. Indeed, the adoption of the ILO Declarations of 1998 and 2008, as well as the reference to FPRW in various multilateral agreements, were an affirmation of the universal conviction of their relevance for the development of nations. Although great strides had been made in key areas to achieve equality of treatment, particularly between women and men, to secure the protection of children and vulnerable groups, and to foster enhanced social dialogue and tripartite relations, the prevailing economic and social circumstances in which programmes were being implemented meant that countries were still facing many challenges. Reductions in public spending had resulted in continued polarization and inequalities within communities, while declining incomes and diminishing employment opportunities had generated rising tension, all of which affected the advancement of FPRW.



- 
- 30.** The Government member of Senegal, supporting the statement made on behalf of the Africa group, said that his country had taken a number of bold institutional and programme level initiatives related to the realization of FPRW (with regard to employment; social protection, with a view to its extension in particular to the informal economy; social dialogue and tripartism, through holding a second social conference and two representative elections; combating child labour and discrimination in respect of occupation and employment). However, he thought it desirable for the ILO to look at ways and means of assisting in the development of strategies that would support national initiatives to provide institutions with programmes to support training, awareness raising and research on collective bargaining.
  - 31.** The Government member of Turkey echoed the view of the Government member of Norway. Turkey had long-standing and extensive cooperation with the ILO in promoting fundamental rights at work and ratified all of the eight fundamental Conventions. He was aware of the significant changes taking place in the world of work and the challenges they posed for governments, who had a responsibility to make the transition smooth for everyone and to ensure that opportunities outweighed threats in that transition. The real challenge for the countries was the implementation of FPRW. In that regard, Turkey had incorporated the principles enshrined in the fundamental Conventions into its national policies. Regarding the right to freedom of association, the numbers spoke for the progress made: in the previous four years, the number of unionized workers had increased by 50 per cent. Similarly, the actions taken to eliminate child labour and discrimination were the clearest indication of the importance attached to the realization of FPRW.
  - 32.** The Government member of Brazil acknowledged the important role of the ILO in promoting FPRW. The promotion of employment, the development and enhancement of social protection, the promotion of social dialogue, and the respect for and promotion and realization of FPRW were strategic objectives set by the 2008 Declaration, which required constant monitoring in order to ensure that they were satisfactorily implemented by all nations. She emphasized that the effective elimination of child labour, discrimination in employment and occupation, and all forms of forced labour required continuous efforts by all countries.
  - 33.** The Government member of Namibia endorsed the statement made on behalf of the Africa group. Namibia faced challenges because of the dual (formal and informal) structure of the economy, which accounted for many implementation gaps in the realization of FPRW. It appeared that the major challenge for many African countries was to implement FPRW in the context of poverty and informality. In order to take up that challenge, the strategy should accordingly address poverty, with due regard for the different economic and development contexts that applied to Africa, and indeed to other developing countries with a large informal economy.
  - 34.** The representative of Public Services International (PSI) called for a real transformation of the world of work, with equal pay for equal work and restoration of the value of work performed by women. Trade unions had a key role to play in that process. Discrimination on grounds of sexual orientation, gender identity, age or race had to be tackled as a matter of urgency. The gender wage gap was a persistent reality that affected women of all ages, classes, cultures and nationalities, whose roles were permanently undervalued by society. She called for implementation of the fundamental rights of all women and men and for promotion of the social dialogue model in attaining SDGs. The 2030 Agenda could not be realized without total commitment to fundamental rights.
  - 35.** The representative of the International Transport Federation (ITF) supported the call for universal ratification of Conventions Nos 87 and 98, and urged the ILO to consider widely applying sectoral solutions in order to make FPRW a reality. Sectoral and regional solutions could be promoted through ratification campaigns and targeted technical assistance. There

---

was a need for a new international labour standard dealing with the judicial enforcement of labour laws. Sectoral solutions could also be used to tackle the problems of forced or compulsory labour and child labour, and to address major issues with recruitment practices affecting migrant workers. The ITF supported calls for an instrument on fair recruitment. With regard to the elimination of discrimination in employment and occupation, the federation called for a strong ILO Convention on violence against women and men in the world of work, with an accompanying recommendation. To tackle NSFE, the ILO's tripartite constituents needed to commit themselves to ensuring that FPRW applied to all workers.

36. The Worker Vice-Chairperson noted that a consensus view had emerged from the discussion that FPRW were indeed human rights. Citing the 1998 Declaration, he observed that, in the face of declining trade union coverage and membership, the right to freedom of association was critical. DWCPs should underscore the importance of Conventions Nos 87 and 98. His group, like the Employers' group, looked forward to the elaboration of a set of action-oriented conclusions to the discussions.
37. The Employer Vice-Chairperson said that the valuable comments made by Government members highlighted the diverse and complex challenges being faced. In view of the fact that the economic situation did not allow people to improve their social conditions, a developmental approach must be adopted with regard to FPRW. Implementation gaps needed to be analysed and capacity built up with ILO support.
38. The Government member of Brazil exercised his right of reply to the intervention by the representative of PSI, who had questioned the legitimacy of the impeachment process against the former President of Brazil. The speaker affirmed that the process of impeachment rigorously complied with the norms and procedures prescribed by the Constitution of Brazil and fully respected due legal proceedings, under the supervision of the Supreme Federal Court. Brazil attested to the strength of its institutions, its attachment to justice and the rule of law and, above all, the open and democratic character of its society and political system.

#### **Point 1. Global trends and specific opportunities and challenges faced by member States**

39. The Chairperson noted that the first point for discussion by the Committee referred to the analysis of Chapter 1 of the report, and focused on: (a) experiences and lessons learned in respecting, promoting and realizing FPRW at the national level; and (b) identification of the additional efforts needed to promote and ensure effective realization of FPRW at the national and global levels.
40. The Worker Vice-Chairperson recalled that the conclusions of the 2012 Conference discussion confirmed that FPRW were human rights. Yet persistent shortfalls and violations existed and universal ratification, especially of Conventions Nos 87 and 98, had still not been achieved. According to International Trade Union Confederation (ITUC) surveys, assassinations, detentions and dismissals of trade union representatives continued, and peaceful trade union demonstrations were often suppressed. In his 2016 report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association had noted that States had obligations under international human rights law to refrain from violating workers' rights, to take positive measures to fulfil those rights, and to protect against violations by third parties. The Office report showed a clear negative correlation between collective bargaining coverage and inequality. The ability of workers to organize allowed them to use their collective power to exercise their rights to health and safety at the workplace, equal treatment, and freedom from child labour and forced labour. The Workers' group believed that in the lead-up to the ILO centenary, greater efforts were needed to promote ratification and implementation of the fundamental Conventions, particularly on

---

freedom of association and collective bargaining. Governments should overcome legislative obstacles to freedom of association, especially in terms of the exclusion of certain categories of workers, such as public employees, agricultural workers, workers in global supply chains and EPZs, domestic workers and other workers in the informal economy, migrants, and temporary, agency and self-employed workers.

41. With regard to child labour and forced labour, the Workers' group welcomed the 2014 Protocol. Universal ratification of the Forced Labour Convention, 1930 (No. 29), and of the Abolition of Forced Labour Convention, 1957 (No. 105), should be achievable, as it would only require nine more ratifications for Convention No. 29 and 12 more for Convention No. 105. As for the 2014 Protocol, despite the unanimous support for its adoption and the "50 for Freedom Campaign", only 13 ratifications had been registered so far.
42. The Committee of Experts on the Application of Conventions and Recommendations (CEACR) had expressed its deep concern at the number of children involved in armed conflict and forced into prostitution. The target of eliminating the worst forms of child labour by 2016 had not been met. In order to reach the goal of eradicating all forms of child labour by 2025, as established in the 2030 Agenda, it was necessary to accelerate progress.
43. The Workers' group welcomed the initiative of the Government of Argentina to host the IV Global Conference on the Sustained Eradication of Child Labour, and expressed that it would be an opportunity to further shape Alliance 8.7 to end child labour and forced labour. It was important for the ILO to ensure adequate participation of social partners and an integrated approach that was consistent with the 1998 Declaration.
44. With regard to discrimination, despite high rates of ratification of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), substantial wage inequalities persisted between men and women. Proactive measures were needed to address groups of workers particularly vulnerable to discrimination, such as women, migrant workers, indigenous and tribal peoples, lesbian, gay, bisexual and transgendered people, and workers with disabilities or affected by HIV.
45. The Workers' group reiterated the conclusions of the Conference Committee on decent work in global supply chains, adopted in 2016, which called on governments to promote social dialogue and FPRW, including freedom of association and the right to collective bargaining for all workers, regardless of their employment status, including in EPZs and global supply chains. It looked forward to the meeting of experts on transnational collective bargaining, to find some answers to the challenges at the global level.
46. Agriculture accounted for 31 per cent of global employment in 2013 and almost 60 per cent of child labour occurred in agriculture and the role of women in that sector was largely unrecognized. Therefore, member States should guarantee to agricultural and rural workers the right to organize and bargain collectively. The fundamental Conventions were central to ensuring a rights-based approach to development, while providing an enabling environment for improved productivity and performance. In the broader framework of SDGs, efforts should be made to build on the International Partnership for Cooperation on Child Labour in Agriculture.
47. The Workers' group expressed serious concerns that the use of NSFE, such as temporary, agency and subcontracted workers, and platform companies in the digital economy, could undermine FPRW. The 2015 Tripartite Meeting of Experts on Non-Standard Forms of Employment and the tripartite Regional Meeting in Bali in December 2016 called for the prevention and elimination of NSFW that do not respect FPRW.

- 
- 48.** Austerity policies and structural adjustment programmes had been shown to have a negative effect on the realization of FPRW. A December 2016 report to the United Nations Human Rights Council (UNHRC) had accordingly concluded with six recommendations to: (i) ensure respect for labour rights through human rights impact assessments of austerity-related reforms; (ii) cushion adverse effects through a robust social safety net; (iii) ensure consultation with social partners; (iv) include an explicit commitment to respect human rights, including labour rights, in the policy documents of international and regional financial institutions; (v) ensure that international financial institutions (IFIs) considering labour law reforms consulted with the ILO systematically and in a timely manner; and (vi) strengthen national and international mechanisms providing effective remedies against labour rights violations. Those were sensible proposals both for the ILO and for its member States.
- 49.** Recalling the resolution and conclusions of the International Labour Conference at its 100th Session in 2011, the Workers' group emphasized that labour inspection was key to the enforcement of FPRW. However, statements by Government members of the Committee confirmed that in many countries the resources allocated to labour inspection were insufficient. In many developing countries, labour inspection was confined to the formal economy in urban areas, while workers in agriculture and the informal economy, who were in greater need of protection, remained outside its scope.
- 50.** In the lead-up to the 20th anniversary of the 1998 Declaration and tenth anniversary of the 2008 Declaration, and the ILO centenary in 2019, renewed commitment by member States to the goal of universal ratification and effective implementation of fundamental Conventions was critical, with special focus on Conventions Nos 87 and 98. Member States should also commit to respect, promote, and realize FPRW as part of their contribution to the implementation of the 2030 Agenda, and ensure the coordination and coherence of the positions they take at the ILO and in other organizations. As part of the implementation of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), member States should ensure respect, promotion and realization of FPRW in the informal economy and create an enabling environment for workers' and employers' organizations to organize, bargain collectively, and participate in social dialogue in the transition to the formal economy.
- 51.** The Employer spokesperson began by making four overarching points: firstly, that the ILO should be firm in its commitment to responding to the specific needs and circumstances of each country; second, realization of the four categories of FPRW should include creating an enabling environment for sustainable enterprises and increasing productivity and competitiveness, while also strengthening the rule of law, transparent and effective governance, well-functioning public institutions and an independent judiciary system, and ensuring the absence of corruption; third, efforts should address the root causes of problems, for example, the lack of universal primary education as a cause of child labour, and the need to design sound social policies; and fourth, the focus should not be exclusively on ratification of the eight Conventions but also, or even more, on the diverse realities of member States and their practical needs to close the implementation gaps. She suggested that DWCPs were an ideal means to better understand the concrete needs of constituents.
- 52.** The Employers' group believed that the report did not contain information on the diverse realities and needs of member States, it privileged a legalistic approach and it used selective statistics. Claiming that labour market deregulation weakened collective bargaining failed to recognize that constituents could choose whether or how to exercise the right to collective bargaining. Also, adapting labour market policies to changing situations was a legitimate and necessary response to promote increased employment, competitiveness and growth.

- 
- 53.** Ongoing research by the Organisation for Economic Co-operation and Development (OECD) suggested that the density of employers' organizations had not been weakened but had remained stable in recent decades in many parts of the world because of their ability to adapt to the changing needs of business. Chapter 1 did not provide a full picture of the ILO regular supervision mechanisms, particularly the Committee on the Application of Standards.
  - 54.** She pointed out that collective bargaining was not the only way to realize FPRW and given the different patterns of collective bargaining and diversity of systems of industrial relations, we should not assume a common and homogenous approach. A number of countries had experienced reduced collective bargaining at the sectoral level but had seen an increase in decentralization of bargaining to the enterprise level. Key challenges were found in the rural and informal economies, which historically had low levels of both unionization and collective bargaining. The underlying economic and social factors in those countries should also be addressed. She called on the ILO to help further build trust and coherence and to foster social dialogue between the social partners at the national and local levels.
  - 55.** She noted that forced labour was frequently found in labour-intensive industries where national regulation and/or legal enforcement was weak, such as agriculture, brick kilns, construction, fishing, hospitality, manufacturing, mining and quarrying. There is a degree of momentum globally to tackle forced labour with governments developing new policies, initiatives and laws, such as the UK Modern Slavery Act, on this scourge. Furthermore, business is increasingly adopting more robust due diligence processes to prevent, mitigate and respond to instances of forced labour. Increasing numbers of employers were coming together in partnerships and multi-stakeholder initiatives that included the social partners, to better understand the underlying causes of, and coordinate responses to, situations of forced labour.
  - 56.** She congratulated the Office on its efforts to promote the ratification of the 2014 Protocol and the "50 for Freedom Campaign", as well as the creation of Alliance 8.7. Employers were dedicated partners in the Campaign and the Alliance, and they were committed to building alliances, capacity and awareness at the national and global levels.
  - 57.** The elimination of child labour remained a high priority for employers. They appealed for more targeted national policy responses that addressed the root causes of child labour, most significantly the lack of access to primary schools. Employers were taking proactive steps such as promoting the transition from work to school, advocating for the enforcement of child labour legislation and adopting a zero-tolerance policy. She highlighted the partnerships of the International Organisation of Employers (IOE) with governments and non-governmental organizations (NGOs) in the ILO Child Labour Platform.
  - 58.** Employers had no doubt that discrimination at work was both a violation of FPRW and bad for companies and economies as it stopped workers from developing and realizing their full potential. Understanding and strengthening the positive aspects of flexible work helped to reduce discrimination as it offered opportunities to those who would otherwise be unemployed, helped to reduce undeclared illegal work with no welfare protection, and could be a first step towards long-term occupation.
  - 59.** She called on the Office to redouble its efforts through targeted technical assistance, training and capacity building. That could be achieved by better harnessing the presence of DWCPs and the participation of social partners on the ground. The Office could also gather more practical information from existing ILO programmes that had a strong presence on the ground, such as Better Work, Sustaining Competitive and Responsible Enterprises (SCORE) and the Child Labour Platform.

- 
- 60.** She considered that a one-size-fits-all approach focusing on the ratification of ILO Conventions or unconnected implementation of global programmes did not serve the needs of member States. The Office should provide targeted and locally adapted technical assistance, training and capacity building, focused on addressing the “implementation gaps” and strengthening effective national policies, legislation, labour administrations and enforcement.
  - 61.** The Employers supported collective and multi-stakeholder initiatives, but more attention should be paid to seeking coherence and synergies between similar initiatives, such as ethical recruitment initiatives, the ILO’s Fair Recruitment Initiative, the Employer Pays Principle, and the Dhaka Principles for Migration with Dignity. She concluded by stating that much progress had been made in promoting and realizing FPRW since the previous recurrent discussion in 2012. In formulating its conclusions, the Committee should focus on responding to national contexts and realities.
  - 62.** The Government member of Malta, speaking on behalf of the EU and its Member States, noted that progress had been achieved in the promotion of FPRW since 2012. FPRW were now recognized and protected as human rights and key drivers for sustainable development, and they were increasingly integrated into trade agreements and business practices. EU Member States had full ratification of the eight Conventions. At the global level, the Worst Forms of Child Labour Convention, 1999 (No. 182), was close to full ratification and efforts against forced labour had witnessed a renewed momentum. Continued efforts were needed to ensure fulfilment of the 1998 Declaration and SDGs.
  - 63.** On freedom of association and the right to collective bargaining, the EU and its Member States aligned themselves with the views expressed by the Worker Vice-Chairperson in noting their importance as enabling rights. Over half of the world’s population remained unprotected as many member States had not ratified Conventions Nos 87 and 98. Serious violations of trade union rights, as well as of employers’ rights, persisted. Trade union membership and bargaining coverage were also important factors. Within the Future of Work Initiative, workers’ and employers’ organizations would need to adapt to and shape the world of work, while governments had an important responsibility to set the ground for social partners. New initiatives on social dialogue had been launched in cooperation between the EU and the ILO, including research targeting non-EU member States. She stressed that more efforts were needed by all constituents. She agreed with the Employers on the need for targeted assistance at country level. Further scrutiny by the Office and Governing Body would be important to see why countries had not made progress on ratification, or had demonstrated no intention to ratify the Conventions enshrining FPRW.
  - 64.** EU Member States had made specific efforts to improve legislation and policies to promote gender equality. Challenges remained in achieving a work–life balance for working parents and people with caring responsibilities, and in improving policies to address discrimination on grounds of disability, age and sexual orientation. Renewed attention needed to be paid to equal treatment and discrimination.
  - 65.** Child labour and forced labour were areas in which progress had been achieved, but further efforts were needed in prevention, protection and remedy. The EU had developed a comprehensive human rights framework to address FPRW, and it also supported development cooperation efforts in that area. The IV Global Conference on the Sustained Eradication of Child Labour in Argentina later in 2017 could be an important opportunity to share good practices and encourage stronger commitments, building upon existing initiatives.

- 
66. Effective methods of addressing FPRW included comprehensive approaches targeting at-risk sectors; focusing on specific challenges in the informal and formal economy; including EPZs and NSFE; and leveraging the promotion of FRPW in trade and investment policies.
  67. In conclusion, the Committee and the ILO were urged to consider integration of OSH into FPRW, given that the right to safe and healthy working conditions was included in the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights.
  68. The Government member of Ethiopia, speaking on behalf of the Africa group noted that the context and reality of Africa needed to be brought out, in order to understand the reality of implementing FPRW.
  69. Regarding freedom of association and collective bargaining, he remarked that the experience of Africa was one of stagnation. The key factors behind that stagnation were: the nature of African economies, which were focused on agriculture and the informal economy; the concomitant weakness of labour inspection and enforcement systems; growing NSFE; a lack of alignment between public and private sector labour regimes in many countries; and fragmentation of social partners.
  70. Child labour, and especially the worst forms of child labour, was a particular concern for Africa. It was important to distinguish between child labour and child work, given that most children in Africa were engaged in family business, with no wage payment and no formal employment. Strategies and programmes were needed to tackle child labour, with more support from the Organization.
  71. Forced labour, in particular the situation of cross-border migrant workers, was of critical importance for Africa, given the lack of social protection, changing conditions of employment, and unfair recruitment practices in sending countries. More engagement was needed between sending and receiving countries.
  72. Africa had a high record of ratification of the core Conventions on FPRW and should focus on harmonization of laws and practice with ratified Conventions. He underlined the importance of sensitization and gap analysis at national level. He called for the development of specific instruments to address the informal economy and the issue of children in fragile States, in particular child soldiers, and stronger application of existing authoritative instruments for global supply chains. The Africa group emphasized the need to strengthen labour inspection and labour administration services, to build the capacity of social partners and to expand the role of the ILO in eradicating poverty, in particular through focusing on household incomes and access to universal education.
  73. The Government member of Oman, speaking on behalf of the Government members of the Gulf Cooperation Council (GCC) countries thanked the ILO for its report. The GCC attached great importance to the application of those rights and their linkages with economic and social development. Positive developments had taken place regarding the representation of workers and collective bargaining rights, which had strengthened the capacity of national institutions to face the financial crisis. On forced labour, efforts had been initiated to put an end to that phenomenon and its negative consequences for the labour market. The GCC was also committed to putting an end to child labour and giving children the opportunities to be educated and trained to prepare for their future participation in the labour market. The governments were also promoting social dialogue in their respective countries and emphasized the role played by the social partners in respect and application of fundamental rights at work.

- 
- 74.** The Government member of Argentina stressed the commitment made by the President of Argentina to strengthen democracy, eradicate poverty and increase social inclusion. FPRW were the basis of the country's project for economic development, and all necessary instruments had thus been ratified. The new administration's national economic policies were adapted to the global context and ambitious infrastructure projects had been undertaken in the previous two decades. Tools to measure progress, including on issues related to employment, labour relations and the formalization of employment, had been standardized by the National Institute of Statistics and Censuses.
- 75.** The country had also made progress regarding FPRW. In 2016, about 4.6 million workers had been covered by collective bargaining agreements, a figure that represented a total coverage of 74 per cent of the formal private sector. The country had ratified the 2014 Protocol and adopted a decentralized system for the protection of victims. The Third National Plan for the Prevention and Eradication of Child Labour for the period 2016–20 was being implemented, together with national legislation on the protection of adolescents. Argentina would host the next IV Global Conference on the Sustained Eradication of Child Labour and thanked governments and social partners for their support. On discrimination in employment and occupation, the Tripartite Commission on Equal Opportunities was implementing an agenda with concrete objectives, including on data collection and analysis in the labour market. The recurrent discussion was stressed as an opportunity to identify the technical assistance to be provided to tripartite constituents at the national level to realize the 2030 Agenda.
- 76.** The Government member of Nigeria said that her country had started a review of its labour laws in 2008 and was currently finalizing that process in collaboration with the ILO. Nigeria had ratified a total of 40 ILO Conventions, including all eight core Conventions. On the specific issue of freedom of association and collective bargaining, Nigeria's Constitution and national laws contained provisions to guarantee the rights provided by Convention No. 87. Additionally, the country had identified tripartite and bipartite social dialogue as an essential tool for industrial peace and harmony in a whole range of economic issues and labour policies. A tripartite technical committee on the minimum wage had been established by the federal Government to look at the possibility of setting a new minimum wage for Nigerian workers. On forced labour, she observed that the problem was predominantly in the informal economy and that forced labour due to human trafficking was the most common form in the country. She added that victims of forced labour were preyed upon by unscrupulous third-party contractors and private employment agencies. For that reason, the Ministry of Labour and Employment had introduced the issuance of recruiters' licences to labour contractors. The national framework for the protection of child rights had received technical assistance and included a list of hazardous occupations.
- 77.** The Government member of Brazil described the efforts made by her Government for the effective implementation of FPRW. A good example was the concerted effort that had been made to combat forced labour and the success achieved. The labour inspection system had been strengthened and a directory of "offenders" was being compiled at the regional and national levels and would be made available to diverse institutions, such as banks and other service providers, who could impose restrictions on those who figured on the list.
- 78.** A telling success was the almost 20 per cent decline in child labour over the period 2014–15, with greater decreases noted in some age groups and activities than in others. A further analysis of the situation was needed in order to decide on the future course of action.
- 79.** A special division had been created in the Labour Inspection Secretariat to eliminate all forms of discrimination in employment and occupation. As an example of good practice, Brazil had an Act that prescribed the proportion of a company's posts that must be occupied



---

by persons with disabilities. In 2016 over 30,000 people with disabilities had been hired by companies.

- 80.** Action was also being taken to promote safer workplaces and decent work in the country through the development of regulatory standards regarding safety and health at work. Those efforts could only be achieved through tripartite discussions in which the Government, workers and employers were equally represented and could freely present their views.
- 81.** The Government member of the United States presented the measures taken in her country in recent years to realize FPRW. Those included training of diverse groups of government officials and non-governmental actors, revision of laws and regulations to effectively address human trafficking, coordinated interagency efforts to enforce legislation on forced labour, as well as the work of the Equal Employment Opportunity Commission to promote compliance with equal employment laws, including in small businesses. The National Labor Relations Board (NLRB) – the agency that enforces laws related to freedom of association and collective bargaining in the United States – maintains an Outreach Program to provide needed services to those who seek assistance from the NLRB and to reach out to citizen and community groups.
- 82.** Globally, renewed efforts to reach out to unorganized informal workers were necessary and more needed to be done to facilitate the transition from the informal to the formal economy. She called on governments and social partners to consider prioritizing, as appropriate within country context, a few key efforts on FPRW. On forced labour, priorities could include collaboration with the private sector, as well as governments serving as a model for the private sector by better monitoring their own procurement of goods and services. With regard to child labour, it was important to continue to make use of coherent policies, including on education and social protection. Collection of data disaggregated by sex, race and ethnicity could be a vehicle for tackling different forms of discrimination. Workers and businesses needed to better understand the impact of FPRW on working conditions, wages, livelihoods and productivity.
- 83.** The Government member of Mexico noted that information had been provided annually to the ILO about the progress made regarding collective bargaining, consultations had taken place with workers’ and employers’ organizations since 2015, and the Government was pursuing the ratification of Convention No. 98. In 2015, the country had ratified the Minimum Age Convention, 1973 (No. 138), having amended the Constitution accordingly. In line with the 2014 Protocol, efforts had been undertaken to eradicate human trafficking through strengthened labour inspection.
- 84.** The Government member of Norway emphasized the necessity for member States to recommit to FPRW as their implementation was essential and not achieved solely by ratification. It was important to create an enabling environment for employers and workers in order to allow them to organize, especially in informal and rural economies. It was also important to ensure that workers and enterprises were adequately represented as forms of production were evolving rapidly, as embodied in the renewed emergence of NSFE.
- 85.** The Government member of India declared that his country respected FPRW. The Government had undertaken legislative measures to protect women’s rights, ensure protection against child labour, guarantee fair and equal treatment for all workers, and improve women’s working conditions. The Constitution prohibited gender discrimination, including in terms of wages.
- 86.** The Government member of the Syrian Arab Republic highlighted the fact that his country had ratified the eight fundamental Conventions. Measures taken in line with Convention No. 182 and Convention No. 138 included the amendment of the Labour Code and the

---

implementation of sanctions to prohibit child labour, and the organization of training sessions for social partners to improve their knowledge of the Conventions. Additional reforms had been carried out and a committee had been established to promote social dialogue and collective bargaining, as well as to fight discrimination.

- 87.** However, due to the ongoing civil strife, full implementation of FPRW was not possible. Armed groups were targeting all economic sectors and impacting the labour market with rising unemployment.
- 88.** The Government member of Canada supported an integrated approach to implementing FPRW. The federal Government worked closely with social partners and provincial governments seeking to provide adequate protection to all, particularly to vulnerable groups. Canada was committed to closing the gender wage gap in line with the principle of fair treatment of all workers. The federal Government was committed to introducing proactive pay equity legislation by the end of 2018. Other initiatives included restoration of a fair and balanced approach to organized labour relations, expansion of the possibilities to better manage work and family responsibilities and to benefit from flexible working hours. Canada aimed to ensure that workplaces were free from harassment and violence; compliance and enforcement mechanisms were being strengthened; and fair wages and equal opportunities were guaranteed. Comprehensive labour provisions in trade agreements were intended to promote workers' rights and support inclusive and sustainable economic growth and have potential to improve working conditions in global supply chains. In line with Canada's vision to promote FPRW, over 80 countries had benefited from Canadian development cooperation since 2006.
- 89.** The Government had long been a strong proponent of labour provisions in its bilateral and multilateral trade agreements. Comprehensive and enforceable labour provisions were being included in those agreements in order to promote respect for fundamental workers' rights, with the broader aim of supporting inclusive and sustainable economic growth, both in Canada and in partner countries. In that context, Canada was developing more ambitious labour obligations for its next generation of agreements and had placed renewed emphasis on their effective implementation.
- 90.** The Government member of Niger emphasized that the country had ratified all eight ILO core Conventions and the three governance Conventions. It had also been the first country to ratify the 2014 Protocol to Convention No. 29. He focused on his country's involvement in tackling slavery and forced labour and pointed to the Constitution which explicitly reaffirmed freedom from slavery and promoted equality under the law. Niger had also ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The National Coordination Committee combating human trafficking had drawn up an implementation plan to fight human trafficking, and the Penal Code had been modified to combat slavery and bring criminal charges against the perpetrators, and to provide compensation for victims. In promoting FPRW, Niger had enjoyed technical assistance from the ILO to strengthen labour administration and labour inspection.
- 91.** The Government member of the Philippines said that the Government had drawn up an eight-point labour and employment agenda to ensure full respect for labour standards in order to achieve a peaceful, sound, dynamic and stable industrial environment and decision-making process. The Government had received an ILO technical mission to align national law and practices with the Safety and Health in Mines Convention, 1995 (No. 176), and welcomed the ILO direct contact mission to address the gaps and outstanding issues related to the application of ILO Conventions Nos 87 and 98. Tripartite mechanisms, social dialogue and interagency coordination were being improved in order to address civil liberties, trade union rights, legislative issues and promotion of freedom of association. The

---

Government had intensified its enforcement mechanism to ensure compliance with freedom of association.

- 92.** The Government member of Côte d'Ivoire informed the Committee that the country's Constitution and new Labour Code of 2015 enshrined FPRW, and that encouraging results had been achieved. To combat child labour, the Government had established schools with curricula to promote awareness of child labour and human trafficking, and a national action plan had been developed in four strategic areas. The Government had also initiated efforts to improve opportunities for people with disabilities, had adopted a strategic plan to address challenges of FPRW in the informal economy, and had improved OSH.
- 93.** The Government member of Morocco said that, in addition to the designation of labour inspection focal points throughout the country to monitor trends in child labour, particularly the worst forms of child labour, budget provisions had been made to support NGOs working in that area, as well as on gender equality and disabilities. An integrated public policy on childhood protection had been drawn up, aligned with attainment of SDG target 8.7. Regular reporting of compliance with legislation on gender equality had been instituted, and a prize was awarded each year to the enterprise that had made the most progress in that area. His country considered social dialogue to be a useful and effective mechanism for the promotion of collective bargaining; for that reason, it was being promoted at the local level through a regional tripartite agreement and an action plan to strengthen and protect the right to collective bargaining. A policy on migration had been implemented with a national action plan to combat trafficking in persons, which included a commitment to enhance victim protection measures and to organize and invest in prevention, information and training campaigns on combating trafficking in persons for public officials. The Anti-Trafficking in Persons Act had rightly been adopted in order to remedy the problem of human trafficking and forced labour. Furthermore, interagency round tables, which served as a platform for the exchange and harmonization of viewpoints, were held at regular intervals to develop practical support measures for victims of human trafficking. In addition, a training module for labour inspectors that would provide them with the operational tools to enable them to recognize victims of smuggling and trafficking had been consolidated.
- 94.** The Government member of Ghana remarked that her country had ratified all eight fundamental Conventions, and the legal framework for the practice of freedom of association was enshrined in the Constitution. Ghana had an effective tripartite culture, boosted by its ratification of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), in 2011. Moderate progress had been made in the abolition of child labour and eradication of the worst forms of child labour, particularly in the cocoa producing sector, but huge challenges remained in the fishing, mining and quarrying sectors. They would be tackled through implementation of the second phase of the national plan of action, for which ILO support would be needed. The fight against human trafficking was hampered by the lack of a robust policy on labour migration, but as an interim measure the Government had recently issued directives against the issuance of exit visas. In order to address the huge informal economy and the extensive rural economy, a stronger labour administration and better labour inspection were required.
- 95.** The Government member of Saudi Arabia informed the Committee that there was no gender pay gap in her country, although other challenges were being faced, such as the provision of better workplaces and kindergartens, and measures were being taken to eliminate discrimination against women. The Recommendations concerning freedom of association and collective bargaining were being implemented in the context of FPRW. With regard to forced labour, Saudi Arabia had ratified the relevant Conventions, and sanctions were in place under the law. The work of labour inspectorates was being strengthened.

- 
- 96.** The Government member of Indonesia emphasized that her country was strongly committed to implementing FPRW; it had ratified all eight core Conventions, beginning with Convention No. 29 in 1933, and had implemented two four-year Decent Work Country Programmes, while a third was currently under preparation. Programmes and activities were being implemented to boost social development.
- 97.** The Government member of the Democratic Republic of the Congo drew attention to the fact that his country had ratified all eight fundamental Conventions by 2001, when the Labour Code had been revised (using a tripartite approach) to include matters related to child labour, equal pay and trade union rights. An action plan had been drawn up in 2011 to eliminate the worst forms of child labour, and a survey had been carried out within the framework of the International Programme on the Elimination of Child Labour (IPEC) to assess occupational health and safety risks for children. The ministries of labour and mining were cooperating on efforts to end child labour in artisanal mines. The principle of gender equality was laid down in the Labour Code, and efforts were being made to align that instrument with the Family Code, in order to prohibit marital authorization and to guarantee women's right to work. Although forced labour was not encountered in practice, legislation had been drafted to repeal provisions dating from the colonial era. As a post-conflict country, the Democratic Republic of the Congo still had much to do to reinforce its labour inspectorate, especially in rural areas and in the informal economy. Effective realization of FPRW depended on building the capacity of the labour administration and social partners at the national level.
- 98.** The Government member of Congo said that his country recognized the importance and relevance of FPRW. The Labour Code was being revised to take account of persons with disabilities. New arrangements were in place for disadvantaged families and children. Minimum wage levels had been raised three times in recent years, and equal pay had been achieved. A programme was being put in place to promote the 1998 Declaration in conjunction with DWCPs, which could give fresh impetus to the campaign for universal ratification of the eight fundamental Conventions and the 2014 Protocol to Convention No. 29. The DWCPs were limited in their scope owing to the lack of coordination between ministries of finance and development.
- 99.** The Government member of China stated that his country attached great importance to FPRW, as they were critical for improving people's lives and livelihoods through economic development and social justice. The improvement of standards and levels of employment was a priority area for the Government, which was also striving to support the service sector and micro-enterprises. Social security systems, including old age, health and unemployment insurance, had been expanded to cover rural areas and hence most of the population. The Labour Code and criminal law included provisions and sanctions aimed at the elimination of forced labour. Equal opportunities for employment were also provided for by law, while national standards governing child labour were more stringent than international ones. In support of the right to freedom of association, China's laws were aligned with the provisions of Convention No. 144. Social dialogue channels and tripartite coordination mechanisms had been established at various levels throughout the country. While the country was a champion of globalization, technological progress was challenging patterns of production and industrial processes, and an increasing skills mismatch was evident. In the future, the Government would develop strategies to: further enhance the quality of employment and women's employment; strengthen vocational training; foster harmonious labour relations; improve the social security system; and build global labour governance through policy coordination. The ILO should also provide countries with targeted support matched to their needs.
- 100.** The Employer spokesperson said the interventions on discussion point 1 illustrated the diversity of what was being carried out at national level to implement FPRW. However,

---

much remained to be done and the ILO should identify the best solution for each individual member State. The focus should be on filling the implementation gaps, with priority given to developing the proper tools to do so. While the ratification of Conventions was important, it did not automatically lead to their proper implementation. New topics or new rights, such as OSH, should not be brought into the discussion and the Committee should restrict itself to the four categories of FPRW.

- 101.** The Worker Vice-Chairperson agreed that there were implementation gaps and that the focus should be on concrete measures that would help to make a difference to the lives of real people. The discussion should not be regarded as “business as usual”, but it should shape how constituents and the Office gave effect to FPRW. While he agreed on the need for better data on discrimination, he emphasized the same need for data and research on all four FPRW, particularly on freedom of association and collective bargaining. The Office could also make better use of the Annual Review reports in providing targeted support to countries that did not show an intention to ratify the core Conventions.
- 102.** The Workers’ group would welcome further information on the EU proposal to include OSH in FPRW. It also agreed on the need to strengthen labour inspections through training and to develop strategic guidelines, for which it advocated more participation and involvement of trade unions.

## **Point 2. Action by the ILO and its constituents**

- 103.** The Chairperson recalled that the second point for discussion posed three questions:
- (a) What should the Office’s priorities be with regard to development cooperation, DWCPs, capacity building, research, standards-related action and the allocation of resources for FPRW?
  - (b) What steps should the Office and member States take to further promote the integrated ILO strategy on FPRW?
  - (c) What further steps would be required by the Office and member States to give new impetus to the campaign for universal ratification of the eight fundamental Conventions and the 2014 Protocol to Convention No. 29?
- 104.** The Employer spokesperson stressed the importance of taking DWCPs as the starting point for strengthening FPRW. The Office should, through its Fundamental Principles and Rights at Work Branch (FUNDAMENTALS), complement the ILO standard-setting machinery with tackling the implementation gaps on the ground through better capacity building, researching standard-related action and allocation of resources where applicable. The conclusions of the recurrent discussion on the 2008 Declaration at the 105th Session of the Conference could provide valuable elements for such a strategy.
- 105.** The Office should also focus on better understanding the needs of its constituents in order to provide effective capacity building, and it should work closely with the social partners when identifying a country’s priorities, using the skills provided by the Bureau for Employers’ Activities (ACT/EMP), the Bureau for Workers’ Activities (ACTRAV) and the ILO International Training Centre in Turin.
- 106.** While statistics and other indicators are important measures to indicate the developments of a country, not all aspects of decent work can be measured in an objective manner. Areas such as employment, working hours and social protection coverage can be objectively measured. However, other aspects of decent work, which have a subjective component, do

---

not merit measuring. For example, using trade union density or collective bargaining coverage as indicators for freedom of association is very misleading because workers may or may not exercise their rights, and countries that extend collective agreements by law are not necessarily better respecters of the rights than others. Linked to this, the ILO should improve its understanding of the different approaches to collective bargaining and the different national realities. Without this granular understanding, the discussions are limited at the global level.

- 107.** The Employers' group supported the idea of providing concrete guidance to member States in setting up hazardous child labour lists, in dialogue with the social partners, if that is what a critical mass of States have requested.
- 108.** Adequate funding should be provided for the promotion of FPRW under the regular budget, and to encourage increased donor support. The Organization should examine the results of the strategy to mobilize extra-budgetary resources for the four FPRW.
- 109.** With regard to discussion point 2(b), she remarked that an integrated approach needed to be balanced with one that responded effectively to the needs and priorities of member States, and that a one-size-fits-all approach should be avoided. Furthermore, FPRW should not be diluted by bringing in other standards.
- 110.** Responding to discussion point 2(c), she reiterated that promotion of the ratification of the core Conventions was not the only way to ensure effective realization of FPRW. A number of countries had laws and policies in place that were conducive to realizing those rights, without necessarily having ratified all those Conventions. The Office should focus more on the implementation gaps between law and practice, and provide technical assistance to overcome concrete obstacles in line with the aspirations of the Conventions. That bottom-up approach would be more flexible and pragmatic, would respond to the diverse circumstances of member States and would be more likely to lead to eventual ratification and implementation of the core Conventions.
- 111.** Finally, she reaffirmed the commitment of employers to being dedicated partners of the "50 for Freedom" campaign for ratification of the 2014 Protocol to Convention No. 29 and reiterated their commitment to further developing the platform and harnessing its potential to build key alliances, capacity, and awareness at the national and global levels.
- 112.** The Worker Vice-Chairperson, referring to the 2016 evaluation of the impact of the 2008 Declaration, highlighted the importance of freedom of association and collective bargaining as a starting point for any integral approach for reducing the gender gap and wage inequalities, combating child labour and forced labour, promoting the transition from informal to formal employment and fostering rural development, among others. The ILO should play a more affirmative role in promoting FPRW through DWCPs, technical cooperation, capacity building, research and resource allocation.
- 113.** He suggested that ratification of fundamental Conventions should be systematically included in all DWCPs. Those programmes should also address FPRW implementation gaps identified in the Annual Review reports under the 1998 Declaration and the ILO supervisory system. Using a monitoring mechanism similar to the gender audits and ensuring that targeted capacity building on FPRW was included in all DWCPs would also be important. On the global level, the ILO should take a lead in fostering international policy coherence on FPRW, and standards-related action should be reinforced, particularly focusing on regions with lower ratification rates.
- 114.** He proposed that the Organization should also innovate in communicating about those rights, through a global communication campaign on the benefits of freedom of association

---

and collective bargaining, including a global alliance to promote those rights in other international forums. A global academy and massive open online courses on FPRW could also help in generating better capacity to address ratification and implementation deficits.

- 115.** Following up on the recommendations of the Tripartite Meeting of Experts on Non-Standard Forms of Employment at the 104th Session of the Conference, he suggested that research should give priority to the barriers to freedom of association and collective bargaining in law and practice. More and better data would be needed on discrimination, and the ILO should work on global estimates of freedom of association and collective bargaining, based on similar experience with child labour and forced labour. Research should also identify how fundamental principles and rights are respected and realized in new green jobs. Finally, the ILO should improve its knowledge base on the correlation between collective bargaining and poverty, inequality, child labour and forced labour, which should then guide ILO policy work.
- 116.** The Worker Vice-Chairperson also proposed that a tripartite expert meeting should be held to consider what grounds could be included under Article 1(1)(a) and (2) of Convention No. 111. He hoped that the upcoming Conference discussion in 2018 on violence and harassment against women and men at work would address the issue of discrimination on grounds of sexual orientation and sexual identity. For the recurrent discussion on social dialogue in 2018, the Office should also include the results of the research on collective dispute settlement mechanisms in the Office report. Workers were ready to examine the need for a tripartite expert meeting on the hazardous child labour lists required under Convention No. 182 on the worst forms of child labour. Regular budget funding should target the four FPRW in a balanced way. Internal and external resource mobilization should be intensified to provide for better coverage of development cooperation on freedom of association and collective bargaining.
- 117.** To foster a more integrated approach to FPRW, the ILO should support constituents in achieving progress towards the realization of the four categories of rights and monitor progress towards their balanced implementation in the framework of the SDGs. In addition, the Office should explore the opportunities offered by new alliances to promote tripartism and social dialogue. The Office should also intensify the links between the Annual Review process and development cooperation activities, particularly to assist member States to ratify ILO core Conventions.
- 118.** The revised ILO Tripartite Declaration on Multinational Enterprises and the conclusions of the general discussion on Decent work in global supply chains at the 105th Session of the Conference provided a solid framework for further action. There was a need to focus on specific measures to ensure respect for FPRW throughout supply chains; this should go beyond national measures to the global level, including global framework agreements.
- 119.** Another priority area of work was the impact of NSFE on FPRW. The Office, building on the conclusions of the Tripartite Meeting of Experts on Non-Standard Forms of Employment at the 104th Session of the Conference, should analyse the erosion of FPRW, notably freedom of association and collective bargaining, in new forms of employment such as the “gig economy” and the “on demand” economy. That research and data collection were important elements in building the ILO knowledge base and informing policy responses, and also as part of the Future of Work Initiative. Building on the conclusions of the recurrent discussion on the strategic objective of social protection (labour protection) at the 104th Session of the Conference, the Workers’ group supported convening a meeting of experts to evaluate the need for additional standards addressing NSFE.
- 120.** The Workers’ group saw the need to give new impetus to the campaign for universal ratification of the eight fundamental Conventions and the 2014 Protocol to Convention

---

No. 29. The Office should proactively engage with governments to overcome obstacles to ratification, drawing on the Annual Review reports under the 1998 Declaration, among others. Ratification documents should be resubmitted to national legislative institutions, national tripartite monitoring bodies on FPRW should be strengthened or established to ensure policy coherence, and ratification campaigns like “50 for Freedom” should be intensified to achieve universal ratification. The IV Global Conference on the Sustained Eradication of Child Labour in November 2017, Alliance 8.7 and the IPEC+ Flagship Strategy also provided opportunities to promote the ratification of child labour and forced labour instruments, including the 2014 Protocol.

- 121.** The Government member of Malta, speaking on behalf of the EU and its Member States, encouraged the Organization to expand its efforts to realize universal ratification of fundamental Conventions, with a specific focus on Conventions Nos 87 and 98. Targeted support was needed to identify and remove barriers to non-ratification. Promotion of the 2014 Protocol required a new impetus by the Organization, including perhaps a tailored approach by region. The suggestions in the Conference report to link Annual Reviews and cooperation, to better integrate FPRW into DWCPs and to provide assistance to labour administrations were good starting points for new ways in which ratification of the fundamental Conventions could be promoted.
- 122.** More attention needed to be paid to the implementation and realization of FPRW. The role of the supervisory system in that regard should be strengthened. The Office should also further promote the exchange of good practices and offer support to member States in developing enforcement mechanisms. Integration could be strengthened through the ILO’s leading role in coordinating the efforts of others in pursuit of the 2030 Agenda and SDG target 8.7.
- 123.** The fact that fewer than 30 per cent of DWCPs included a focus on FPRW represented a missed opportunity in advancing a key purpose of the ILO, especially on freedom of association. The Office could strengthen the capacity of national constituents to help ensure that DWCPs and the United Nations Development Assistance Framework (UNDAF) would contribute to the realization of FPRW. With regard to development cooperation, the budget gap on FPRW needed to be closed. To that end, the ILO’s work on partnerships and resource mobilization vis-à-vis other partners than the ILO constituents could be intensified.
- 124.** Given the challenges of promoting FPRW in the context of trade and investment relations and global supply chains, the ILO had an important role to play in assisting members and ensuring coherence with the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and the conclusions of the general discussion at the 105th Session of the Conference on Decent work in global supply chains.
- 125.** In standards-related activities, priority should be given to the uptake of existing core labour standards and their continued relevance to changes in the world of work. The EU and its Member States would be ready to consider integrating new grounds of discrimination, such as age, disability and sexual orientation into Convention No. 111. Guidance on developing a list of hazardous forms of child labour could also be envisaged.
- 126.** She welcomed the objective of issuing new estimates of child labour and forced labour later in the year, as well as work towards estimates related to discrimination and freedom of association, in connection with which she called for conceptual clarity to be ensured. Additional research was needed on avenues for workers in NSFE to enjoy FPRW. The Future of Work Centenary Initiative would provide good opportunities to discuss those avenues, informed by research and data.



- 
- 127.** Finally, capacity building was considered key to further progress in promotion of FPRW, and the International Training Centre of the ILO had an important role to play in that regard. FPRW should be advanced in all aspects of the Office's work, and with a focus on the specific challenges encountered in the informal and rural economy, in global supply chains and EPZs, in situations of fragility and in NSFE.
- 128.** The Government member of Norway supported including the promotion of FPRW as a mandatory component of each DWCP and emphasized the need for participation of the social partners in the development and implementation of DWCPs. At country level, the Office should work towards enhanced cooperation with other UN agencies, in particular the United Nations Development Programme (UNDP), and deliver as One UN. Further cooperation with the World Bank should also be developed. Regarding standards-related activity, the focus should be on ensuring successful and effective implementation, in which technical assistance from the ILO was of great value. The forthcoming global estimates on child labour and forced labour were welcomed, as were the steps taken to develop estimates on discrimination. It was hoped that they would include data on discrimination on grounds such as sexual orientation, and gender identity (where Norway had already funded some research by the ILO). It could also be useful to develop estimates on freedom of association and collective bargaining. To further enhance mobilization of funding for development cooperation, the Office should continue its efforts to diversify funding sources, including expanding domestic funding, increasing contributions from emerging development partners, and expanding engagement with the private sector.
- 129.** The Government member of Ethiopia, speaking on behalf of the Africa group, noted that the starting point for future ILO action should be to capitalize on DWCPs. While those were identified as flagships, they were often underfunded and the level of technical assistance provided for their implementation varied from one country to another. DWCPs should be aligned with national priorities and SDGs with the active engagement of social partners. The Africa group also endorsed the importance of using a bottom-up approach for delivery of ILO technical assistance. That approach was particularly important in Africa, where the diversity of economic sectors and the share of the informal economy demanded an in-depth understanding of national contexts. Raising awareness of FPRW needed to be expanded to reach out to additional actors, including parliamentarians and the judiciary. Research and statistics on FPRW were critical for the adoption of informed decisions and evidence-based policy-making. Efforts in the areas of research and statistics should include support for national research institutes and statistical offices. The capacity of trade unions and employers' associations needed to be strengthened in order to foster social dialogue, as should the capacity of labour inspection systems to deliver quality services. Regional structures could be used to support broader dissemination of good practices and cooperation could be fostered beyond the ILO's social partners to sustain progress on FPRW.
- 130.** The Government member of Oman, speaking on behalf of the GCC countries, noted the significant efforts made by the ILO on FPRW and the positive results achieved. On the elimination of forced labour, significant progress had been made. The Office was encouraged to invest more in the area of discrimination in employment and occupation. It should also step up its efforts to provide technical assistance, in order to help members States overcome persistent challenges.
- 131.** The Government member of Indonesia stated that member States should promote an integrated strategy on FPRW. The needs of member States with regard to implementation of those rights should be reviewed. Countries that had ratified the core Conventions could provide assistance to those that had not.
- 132.** The Government member of the United States supported the Organization's efforts to include FPRW in DWCPs. Given that less than one third of DWCPs set at least one priority

---

that would have a direct impact on FPRW, the Office should further its understanding as to why more countries did not include FPRW as a priority in their DWCPs. It should help constituents understand the impacts of the four aspects of FPRW on one another (for example lack of freedom of association and collective bargaining could negatively impact child labour and forced labour), and help them consider priority actions for the DWCP. The Office should place emphasis on assisting countries in meeting FPRW-related targets in the SDGs. Priority should be given to capacity-building efforts that facilitated the transition from the informal to the formal economy and to expanding the knowledge base on effective measures for developing workers' and employers' organizations in the rural economy. The Office should continue to conduct research on the impact of NSFE on FPRW and to expand its knowledge base and help member States improve their data on FPRW. The Office's work to capture reliable data on child labour and forced labour was valuable, and its leadership in collecting data on employment discrimination was appreciated. She expressed support for the Office's ongoing efforts to protect FPRW through public-private partnerships. A successful integrated strategy could be advanced through: conducting objective, scientifically-rigorous, peer-reviewed research on the social and economic impacts of FPRW, including quantitative data collection at the regional and national levels; providing necessary assistance to member States to improve implementation; monitoring and evaluation, with a view to sharing best practices and incorporating lessons learned into future activities; working with other international organizations within and outside the United Nations system and through public-private partnerships; and ensuring the effective and efficient functioning of the ILO supervisory system. The ILO could also best use its limited resources to assist both ratifying and non-ratifying States in their efforts to realize FPRW. In non-ratifying countries, social partners may play a role in raising awareness on the benefits of ratification. As the lack of institutional capacity remained a key obstacle to implementation of FPRW, priority should be placed on building the capacity of labour administrations and labour inspectorates.

- 133.** The Government member of Canada supported the integrated approach taken by the Office for the promotion of the four strategic objectives. The priorities for the ILO in the next few years should be to provide technical assistance and capacity building to member States to strengthen respect for and realization of FPRW at the national level, with a particular focus on the implementation, administration and enforcement of policies and legislation that supported FPRW. That work should be complemented by assistance to workers' and employers' organizations to strengthen their capacities to contribute to the realization of FPRW. Development of practical tools such as how to mainstream FPRW would be helpful to all constituents.
- 134.** While universal ratification of the eight fundamental Conventions remained a laudable objective, implementation of the rights embodied in them was the real goal. The Organization's resources should primarily be directed to assisting member States to implement FPRW and the fundamental Conventions they had ratified, giving priority to countries and groups where the need on the ground was greatest.
- 135.** The Office should monitor progress as a means of demonstrating the impact of its actions at the national level. Working closely with member States through DWCPs would help promote the universal application of FPRW, which in turn would encourage them to ratify the fundamental Conventions. The ILO should engage at the highest political levels and encourage social dialogue, especially in countries with serious and ongoing abuses of FPRW. The ILO supervisory system should be appropriately resourced to work efficiently and fulfil its function of overseeing the implementation of ratified fundamental Conventions.
- 136.** Considering the challenges to the realization of FPRW in the informal sector, the rural economy, global supply chains and EPZs, NSFE and situations of fragility and conflict, the

---

Office should gather and disseminate good practices that had proved effective at national level and assist member States in adapting them to their circumstances.

137. Research and analysis were needed to identify efficient and cost-effective inspection and monitoring mechanisms. The Office should also assist member States to overcome the deficit in statistics and data noted in the report, which impeded development of appropriate policy responses. The ILO should continue to focus on research, analysis and discussion of the impacts and contributions of labour provisions in trade agreements on the realization of FPRW.
138. Finally, there was a need to continue to streamline and better coordinate responsibilities across ILO departments, in order to maximize the use and impact of limited resources and to eliminate duplication of effort.
139. The Employer spokesperson noted that the statements made by Government members bore witness to the fact that countries faced different realities. Ratification of Conventions was a measure that did not guarantee results on the ground; their provisions had to be implemented efficiently and effectively in order to have a real impact at the national level. She accordingly emphasized the need to close the implementation gaps and find ways to carry out practical measures on the ground.
140. The Worker Vice-Chairperson underlined that the key issue was the lack of resources. The question was how the ILO could best channel its resources towards its priorities. The allocation of resources should reflect the characteristics of collective bargaining and freedom of association as enabling rights for other FPRW. There was a clear correlation between ratification and implementation of labour standards, and it was essential to protect the core values of the ILO by allocating resources to those concerns. A holistic approach towards DWCPs should be adopted, in order to incorporate FPRW in them.
141. Interesting ideas had been put forward about how to make better use of the information generated by the supervisory bodies. Members of the Committee had agreed on the need for data on discrimination, on NSFE, on collective bargaining and on the correlation between collective bargaining and the indicators of welfare. Moreover, there was a need to build capacity and provide technical assistance to social partners. The focus in the area of FPRW should be to prioritize work on collective bargaining and freedom of association.

### **Point 3. Policy coherence and international frameworks**

142. The Chairperson noted that the third point for discussion posed three questions:
  - (a) How do we ensure that policy coherence is maintained in international forums in relation to FPRW and that they are better integrated in the policies and strategies of other international actors?
  - (b) What steps should member States and the Office take in order to mainstream tripartism in international frameworks and to strengthen the capacity of the social partners so that all constituents are fully engaged in SDG processes?
  - (c) How can emerging alliances be fully mobilized to make a sustainable positive impact on the realization of FPRW?
143. The Worker Vice-Chairperson emphasized the primacy of FPRW as human rights and not to be subordinated to other concerns. The 2030 Agenda had given the ILO the mandate to

---

engage with governments on their growth strategies in relation to decent work, and the Workers' group believed the ILO should take the lead in ensuring policy coherence with organizations of the multilateral system to ensure respect for FPRW. Therefore, the ILO should enhance its own capacity on macroeconomic policy, work with other international economic and financial agencies, and propose policies consistent with the 2008 Declaration and FPRW at country level.

- 144.** The ILO should position itself alongside the World Bank and the International Monetary Fund (IMF) on economic policy issues and provide credible macroeconomic policy advice to ministries of finance as well as ministries of labour, and foster partnerships with IFIs at the country level. In appraising the impact of policy interventions by other organizations on FPRW, and advocating for policy coherence, the ILO needed to ensure that all programmes and policies (in particular austerity-related reforms) were developed in consultation with social partners and submitted to robust FPRW impact assessments before implementation.
- 145.** Priority should be given to the development of statistics and decent work indicators as tools for monitoring the progress achieved in the realization of FPRW and decent work, as well as document violations of standards. There was an urgent need to develop estimates on freedom of association, collective bargaining and discrimination and inequality, complementing the estimates on forced and child labour and providing a comprehensive picture on the state of FPRW. The Workers' group was in full agreement with paragraph 242 of the report on the collection and dissemination of knowledge and data.
- 146.** The ILO needed to monitor labour and social provisions of bilateral and multilateral trade agreements, with a view to ensuring that they met the standards of the different Declarations and respected FPRW. To improve compliance and enforceability, trade and investment agreements should include explicit references to the eight core ILO Conventions and others, such as the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), on public procurement and core safety and health Conventions. With regard to the Open-ended Intergovernmental Working Group on transnational corporations and other business enterprises with respect to human rights and the elaboration of an internationally legally binding instrument to regulate the activities of transnational corporations and other business enterprises, the Workers' group considered that a strong binding treaty should build upon the United Nations Framework for Business and Human Rights and the United Nations Guiding Principles for Business and Human Rights. It should also refer to all internationally recognized human rights, including those defined by international labour standards. The Workers' group acknowledged the conclusions from the general discussion at the 105th Session of the Conference on Decent work in global supply chains, in particular in their part related to public procurement, and encouraged governments to use public procurement to promote fundamental principles and rights at work. The group invited the governments to take steps, including tripartite consultations with concerned ministries and social partners, to ensure coordination and consistency of their positions with the ILO and all regional and international organizations, in order to ensure full respect for FPRW. The group reminded that policy coherence at regional and international levels relied upon effective policy coherence at national level.
- 147.** The ILO should undertake a new initiative linked to SDG target 8.8 on “protecting labour rights”. Although the ILO was part of SDG alliances on forced and child labour and initiatives on equal pay, which they supported, apparently there was no similar level of commitment for promoting social dialogue, collective bargaining and freedom of association. The ILO should take the lead in promoting tripartism and social dialogue in the implementation of the SDGs as a means to achieving progress on FPRW in all related SDGs; hence the need for establishing a global Alliance 8.8. That would be part of the ILO's contribution to the SDG framework and would raise member States' awareness of the need to ratify and implement core labour standards. It would stress the importance of Conventions

---

Nos 87 and 98 as enabling rights to achieve progress in protecting labour rights and promote FPRW in development plans and strategies in an integrated way. As a first step towards the establishment of the global Alliance 8.8, the ILO should consider organizing a tripartite summit linked with Argentina's presidency of the G20.

- 148.** In parallel, the ILO should initiate a process of periodic national voluntary reviews in the Governing Body on the implementation of Goal 8 and related decent work targets under the 2030 Agenda. The organization of such reviews could involve participation of the key multilateral agencies that operated in the country to assess the extent to which decent work was mainstreamed in their work and the extent of adherence to FPRW.
- 149.** Within the Office's integrated strategy on fundamental principles and rights at work there was a need to ensure more resources were allocated to FPRW and equal resources were allocated to the four categories of rights. Regular budget resources should be devoted to enhancing capacity within headquarters departments and regional offices in the area of FPRW. Efforts towards fundraising for promotion of FPRW were needed, particularly for activities focusing on freedom of association and collective bargaining. The global Alliance 8.8 could answer the call from the European Commission's Reflection Paper on harnessing globalization, which emphasized the promotion of collective bargaining systems on a global scale.
- 150.** The ILO should ensure that SDG national action plans made reference to FPRW and guaranteed the full participation of workers' and employers' organizations in their formulation. It was necessary to develop the capacity of the social partners, through enhanced support for ACTRAV and ACT/EMP to work on SDG implementation. The critical challenge was to address the significant gaps in ratification and implementation of FPRW, and clear action-oriented conclusions from the Committee were warranted. In the context of the Future of Work debate, the group emphasized the danger of failing to arrest the growth of economic inequality. Inequality was recognized as a global risk by all IFIs, and the G20 Labour Ministers endorsed collective bargaining and other FPRW as a large part of the answer to lift the labour share of income, thus the challenge to address the very significant gaps in ratification and implementation of the fundamental principles and rights at work was of major importance.
- 151.** The Employer spokesperson acknowledged that the 1998 Declaration on FPRW had been a huge success and had been instrumental in driving policy coherence. It was the basis of the labour principles in the UN Global Compact and embedded in the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and ISO 26000, as well as trade agreements and private sector and multi-stakeholder initiatives. She also pointed to the gap between the proclamation of policy coherence and putting it into practice, given the often competing agendas of international organizations. She proposed not to focus efforts exclusively or predominantly at the global level, where little concrete impact on realizing FPRW would occur. Of course, the SDGs were an opportunity for different stakeholders, including the ILO and other organizations of the United Nations system, to strive for better policy coherence, but their main focus of work should be on supporting constituents in overcoming implementation gaps. Policy coherence equally applies internally to the ILO. The Office and constituents should put aside competing agendas and programmes.
- 152.** Referring to the discussion on the ILO Declaration on Social Justice for a Fair Globalization (2008) at the 105th Session of the Conference, she recalled the conclusions on developing a strategy to promote decent work through partnerships and policy coherence on all levels, including a special focus on inclusive growth and decent work at the national level, and working closely with constituents in national sustainable development strategies and facilitating tripartite participation in national and UN planning frameworks.

- 
- 153.** In addition, the recent G20 Labour and Employment Ministerial Declaration reaffirmed the commitment to promote the UN Guiding Principles on Business and Human Rights, which include FPRW. The Employers' group would welcome efforts to build the capacity of social partners to support implementation of the UN Guiding Principles by governments and all business enterprises in different national contexts.
- 154.** Regarding question (b) of the discussion point, she questioned if tripartism, per se, should be mainstreamed into all international frameworks, or would mean rather the engagement of social partners in the processes.
- 155.** She also emphasized that SDG 8 offered an opportunity for the ILO to engage with governments and social partners on strategic partnerships to ensure conducive environments for inclusive economic growth, job creation and decent work. However, SDG 16 was equally important in providing the conditions for the realization of FPRW; peaceful societies, access to justice for all and effective institutions were important prerequisites for realizing those rights, and also for all the SDGs. The ILO should therefore also assess those challenges to determine how it could better support constituents on issues related to promoting the rule of law, access to justice and the fight against corruption.
- 156.** The Employers' group considered that DWCPs were an appropriate vehicle to strengthen the capacity of social partners in the SDG process, and that partnerships should be built, in a bottom-up approach with local actors, on promoting a conducive environment for economic development, job creation and the realization of FPRW. The ILO should continue to provide technical assistance to member States and participate in related development cooperation programmes with the social partners, in order to maintain and implement labour laws and practices in line with the 1998 Declaration. The ILO should also conduct additional research to promote further coherence between FPRW and the implementation of the labour clauses under trade agreements.
- 157.** With reference to question (c) of the discussion point, the Employer spokesperson recommended a cautious approach to emerging alliances, asking the ILO to carefully evaluate their added value in promoting concrete changes that reflected country contexts and needs, and developing and delivering clear, coherent and consistent messages on the leadership of the ILO on shared goals related to FPRW. The ILO should ensure that other organizations use ILO definitions on terms related to fundamental principles and rights at work.
- 158.** In addition, the Employer spokesperson said that the ILO should get away from telling *what* Governments and businesses should be doing and instead show them *how* they can contribute to SDGs in a way that realizes fundamental principles and rights at work, such as providing capacity building and technical expertise.
- 159.** Respect for human rights was an integral part of business strategies and required capacity building, innovation, collaboration and leadership. Sharing knowledge, good practices and intercultural understanding of the challenges and opportunities was a practical way to help business to effectively engage in and respond to systemic issues. In that regard, she commended the development of business networks such as the Child Labour Platform, the Global Business Network for Social Protection Floors, the ILO Global Business and Disability Network, as well as the Global Business Network on Forced Labour and Human Trafficking.
- 160.** She pointed to the fact that the SDGs were primarily addressed to governments, and that the high number of SDG targets posed a major challenge in translating their applicability by the private sector. As recognized in paragraphs 67 and 68 of United Nations General Assembly resolution 70/1, business was a major driver of productivity, and international trade was an

---

engine for economic growth and job creation. New initiatives focusing on the SDGs, such as Alliance 8.7 and the Global Equal Pay Coalition, should avoid duplicating with other activities or creating more bureaucracy, but rather complement existing efforts, with clear objectives, ensuring the commitment of constituents on the ground and addressing implementation gaps in practical ways that responded to country contexts and needs.

- 161.** The Global Equal Pay Coalition, which would promote SDG target 8.5 on equal pay for work of equal value by 2030, could draw on lessons learned from the launch and the work of Alliance 8.7 to improve its structure, process and coordination between members. The ILO should work with the other partners in that coalition to improve national laws, strengthen enforcement mechanisms and reduce gender pay gaps at the national level.
- 162.** Employers stressed that the Swedish Global Deal initiative was not providing added value, that it was diverting attention from existing tools, instruments and processes, and that crucially it had been developed without the involvement of social partners, notably employers' organizations in Sweden.
- 163.** In conclusion, the Employers' group considered that the SDGs and other international initiatives would only be effective if they addressed implementation gaps at the national level, where FPRW needed to be realized in practice.
- 164.** The Government member of Ethiopia, speaking on behalf of the Africa group, emphasized the 2030 Agenda and DWCPs as entry points for promoting FPRW. SDG 8, in particular, made the leading role of the ILO visible. In a national scenario, that role could be played in three ways: first, through synergies with other international agencies within UNDAFs; second, by providing financial support to and building the capacity of national ministries, such as those for labour and social affairs; and third, by adopting a bottom-up approach. Regional organizations such as the African Union, and IFIs such as the World Bank and the African Development Bank, should recognize the FPRW framework and make the necessary resources available. Countries' labour codes should be aligned with the fundamental Conventions. There was a continuing need for research, in order to ensure fact-based responses. Member States, the ILO and social partners should focus on demand-driven programmes with the aim of implementing those Conventions.
- 165.** The Government member of Oman, speaking on behalf of the GCC countries, referring to the 2030 Agenda said that the values of the United Nations concerning labour and human rights had an important role in realizing FPRW. The ILO had established ongoing partnerships with other international organizations and should act in consistency with those values in order to attain the SDGs. Bilateral agreements were important, and FPRW needed to be included in them. The ILO should support countries that took initiatives in that area, so that they could serve as role models for other countries.
- 166.** The Government member of Malta, speaking on behalf of the EU and its Member States as well as of the Government members of Montenegro, Serbia, Bosnia and Herzegovina and the Republic of Moldova, stated that the 2008 Declaration provided guidance to all actors, including the ILO and other international organizations, in ensuring policy coherence in relation to decent work and its four strategic objectives and FPRW. The 2030 Agenda was essential for policy coherence in relation to FPRW. The 2016 Conference resolution on Advancing Social Justice through Decent Work and the End to Poverty Centenary Initiative were good frameworks for the Office and constituents in implementation of the 2030 Agenda. The Global Deal and Alliance 8.7, as well as the upcoming Global Equal Pay Coalition, were promising initiatives. Good practices could be shared at the IV Global Conference on the Sustained Eradication of Child Labour, to be held in Argentina later in the year. All those initiatives provided opportunities for the Office to work closely with all relevant international organizations and as One UN.

- 
- 167.** The Government member of Norway supported the statement made by the EU and its Member States.
- 168.** The ILO should enhance coordination with the constituents and regional integration organizations and should leverage the influence of other organizations through UNDAFs. It also had an important role to play in assisting its members and ensuring coherence in the context of trade and investment relations and global supply chains. That aspect was of particular importance, since the EU designed its trade instruments in a way that enhanced their contribution to sustainable development, including decent work and effective implementation of the core labour standards.
- 169.** The Office's close cooperation with the UN Working Group on Business and Human Rights was welcomed. The ILO was encouraged to engage with other international organizations working on issues related to business and human rights, such as the OECD. The ILO's involvement in the work of the G20, as shown by the most recent ministerial declaration "Towards an inclusive future: Shaping the world of work", was also welcomed, as was its cooperation with economic institutions and development banks. The Office was expected to engage in building the capacity of employers' and workers' organizations to promote FPRW. The recurrent discussion on social dialogue at the 107th Session of the Conference in 2018 should pay particular attention to that aspect.
- 170.** The Government member of Brazil, speaking on behalf of the Community of Portuguese-speaking Countries, explained that the Community counted on ILO collaboration in the implementation of the 2030 Agenda, within the framework of existing cooperation agreements. The year 2016 had been declared the "Year of the Community of Portuguese-speaking Countries against Child Labour", in accordance with SDG target 8.7 and the Decent Work Agenda. The Community was committed to promoting political dialogue, exchange of experience and cooperation.
- 171.** The Government member of Indonesia said that every member State was expected to bring FPRW as a priority issue in other international forums, such as the G20, the Organization of Islamic Cooperation, the Asia-Pacific Economic Cooperation and the Association of South-East Asian Nations. Emerging alliances could be fully mobilized to make a sustainable positive impact on the realization of FPRW.
- 172.** The Government member of Mexico said that policy coherence in international forums should be based on their remit, avoiding duplication of efforts and inefficient use of resources. In the case of FPRW, labour standards should not be used for protectionist trade or commercial ends. The Office's technical assistance was the best way of guaranteeing effective application of FPRW. More budgetary resources should therefore be allocated to technical assistance and to support activities that had yielded positive results, such as the Regional Initiative: Latin America and the Caribbean Free of Child Labour. The number of projects, virtual platforms and applications set up under that Initiative testified to the linkages between SDG target 8.7 and other SDGs. Mexico, Brazil and Argentina were also piloting a vulnerability mapping model on the prevalence of child labour that had been developed in coordination with the Economic Commission for Latin America and the Caribbean (ECLAC).
- 173.** The Government member of the United States recommended that the ILO should continue to play an active role in international processes to achieve the SDGs, such as the High-Level Political Forum and the UN Interagency and Expert Group to develop a global indicator framework to measure achievement of the SDGs, and build on its relationships with multilateral development banks. At the country level, ILO staff should actively reach out to other development partners in countries to share information on development cooperation efforts and to ensure that FPRW are respected in efforts undertaken by other donors.



---

Emerging global alliances offered positive momentum towards improving the fundamental rights of workers. It would be important for those alliances to trickle down to the country level in the form of concrete action.

- 174.** The Government member of Canada suggested that, within the limitations imposed by resource constraints, the ILO should build partnerships and contribute to major international initiatives in order to encourage organizations, particularly those dealing with global economic policies, to adopt policies consistent with FPRW. It should also continue to provide advice and support on FPRW issues in the context of corporate social responsibility initiatives, focusing on targeted practical interventions. An important ILO contribution should be credible, fact-based research and analysis demonstrating the economic, social and development impacts of FPRW. One example was the ILO report on assessment of labour provisions in trade and investment arrangements, published the previous year, which highlights the positive impact of labour provisions on working conditions. In the current context of fiscal restraint, it was more important than ever to develop partnerships and avoid duplication between international organizations. That applied to research and publications, as well as to the delivery of technical cooperation on the ground.
- 175.** The Government member of Australia considered that the ILO was the premier expert in the field of international labour standards and recognized the value of ILO engagement in external initiatives that sought to mainstream FPRW within economic, social and development policies. By playing an advisory or awareness-raising role or furnishing the relevant data and research, the ILO should be able to contribute to policy coherence across various multilateral contexts. The ILO's initiative in establishing Alliance 8.7 was commended. Through that Alliance, the Australian Ambassador for People Smuggling and Human Trafficking was advocating, with UN agencies and key member States, the need to develop a more strategic and coherent international response to combat those crimes.
- 176.** The Worker Vice-Chairperson, in his concluding observations on discussion point 3, agreed that there was wide consensus on the need for policy coherence and the continued engagement of the ILO in international forums. It was essential to go beyond the conclusions of the previous year's evaluation of the 2008 Declaration, as that would help in identifying what made a real difference for real people in the real world.
- 177.** In response to the concern raised by the Employers, he confirmed that global Alliance 8.8 was not identical with the Global Deal, but that it was intended to be complementary. The aim would be to fill an existing gap, as the ILO was engaged in SDG targets 8.7 and 8.5, but not in SDG target 8.8. He insisted that any engagement of the ILO in public-private partnerships should ensure coverage of and respect for all FPRW. He also emphasized the importance of well-funded quality public services to reach the SDGs.
- 178.** The Employer spokesperson concluded that there was consensus on the recognition of policy coherence as an important goal. However, it was also critical that that was actually put in place and that words moved to action. She looked forward to the high-level panel discussion in order to better understand how policy coherence could be achieved and how it could be developed on the ground and carried out in the future.
- 179.** The Employers' group had understood the difference between the Global Deal, which they do not support, and global Alliance 8.8, but they were not convinced that global Alliance 8.8 would be the best way forward in that area. Further discussions should take place as appropriate.

---

## High-level discussion on strengthening fundamental principles and rights at work in the international arena

- 180.** The Chairperson opened the session by explaining that the aim of the interactive debate with panellists was to discuss FPRW in international frameworks, such as the SDGs. He asked Ms Beate Andrees, Chief of the ILO Fundamental Principles and Rights at Work Branch, to moderate the discussion.
- 181.** In the opening round, Ms Kate Gilmore, United Nations Deputy High Commissioner for Human Rights, highlighted the fact that the United Nations system as a whole was committed to a common set of principles. FPRW meant that all agencies concurred on upholding the fundamental dignity of all persons under a universal framework on human rights, which ensured that all people had rights, integral to the definition of what it meant to be human. It was critical that the two main covenants of the Universal Declaration of Human Rights were acknowledged in the workplace. That was essential for policy coherence and, indeed, for the coherence of the United Nations system. Freedom of assembly and association, freedom of expression and entitlement to a fair wage for fair work were all principles to be respected in the global marketplace. It was important to strengthen the partnership with the ILO and promote opportunities to work together.
- 182.** Ms Jamesina King, Chairperson of the Working Group on Economic, Social and Cultural Rights of the African Commission on Human and People's Rights (ACHPR), stressed that FPRW were integral to achieving Africa's Agenda 2063, which included good governance, democracy, respect for human rights, and inclusive development. The African Charter on Human and People's Rights made no distinction between rights at work and human rights and included provisions relevant to the discussion on policy coherence. Furthermore, the Commission had developed guidelines on economic and social rights, including the right to work. The integration of the right to work and other FPRW in policy and legal frameworks had advanced, also as a result of the involvement of trade unions. Challenges remained, but the Commission's guidelines required member States to facilitate employment through a conducive environment, prevent child labour, prohibit slavery and forced labour, protect freedom of association and collective bargaining rights, and address the concerns of workers in the informal and formal sectors.
- 183.** She asserted that FPRW were among the main rights in the African Charter. It also set out individual rights, including the right to freedom from discrimination, the right to dignity, prohibition of slavery, the right to access information and the right of freedom of assembly, as well as people's rights, such as freedom to dispose of wealth and the right to economic and social development. To promote implementation by member States, the Commission had convened a Working Group on Economic and Social Rights, which undertook regular missions to member States and developed monitoring measures. Each State was required to submit a periodic progress report, which was reviewed alongside shadow reports from independent actors. Member States often referred to the ILO and their progress in the ratification process, which demonstrated coherence with the ILO mandate. The Commission identified and shared good practices across the continent. Challenges remained in employment and implementation, but collaboration among all stakeholders was key to success.
- 184.** A bottom-up approach was critical for the success of interventions, especially at the grassroots level. Representatives of civil society organizations participated in Commission sessions and field missions and provided tangible evidence of the human rights situation on the ground. She cited the example of a visit to a detention centre, where the Commission had

---

found a group of boys and girls who had been detained after working as domestic workers. That case demonstrated the link between child labour and human rights.

- 185.** Mr Jos Verbeek, World Bank Manager and Special Representative to the United Nations and the World Trade Organization in Geneva, explained that the Bank's new safeguard policies had improved the impact and effectiveness of projects related to environmental issues and social policies. The Bank's limited experience on labour standards required internal capacity development. In 2016, the World Bank had updated its project framework, so that it currently included working conditions and all rights under FPRW. The new framework would take effect in 2018, with a gradual roll-out to countries, with the support of all World Bank executive directors and shareholders. New guidelines were one step towards coherence with the ILO and other bodies, and effective implementation was another step.
- 186.** Mr Thangavel Palanivel, Deputy Director at the Human Development Report Office of the United Nations Development Programme, acknowledged the new opportunities provided by technological change but also warned about the risks of rising inequalities for political and social governance. The 2015 Human Development Report – Work for Human Development emphasized that the concept of work was much broader and deeper than that of jobs and went beyond employment creation. It was necessary to capture the larger dimension of people in, for example, unpaid work, domestic work, care work, voluntary work and creative work. Human development and work were mutually reinforcing, but the link between them was not an automatic one. Policies and institutions were therefore needed to ensure that work was contributing to human development, in three areas: (a) creating work opportunities; (b) ensuring workers' well-being; and (c) developing targeted actions.
- 187.** The first area (work opportunities) focused on national employment strategies and seizing opportunities in the changing world of work. Second, workers' well-being should be covered, guaranteeing workers' rights through legislation and regulations, the ratification of the core ILO Conventions and the exercise of collective bargaining rights. Measures were also needed to expand social protection and address inequalities. Finally, targeted actions should focus on sustainable work, addressing imbalances in paid and unpaid work and interventions for specific groups, including women, young people and persons with disabilities.
- 188.** Mr Verbeek cautioned that in order to live up to the call of the 2030 Agenda to "leave no one behind", economic growth alone would not be sufficient. It was also important to address social needs, including education, social protection and jobs. Those areas were top priorities for the ILO and the World Bank.
- 189.** The World Bank focused on the three pillars of sustainable development: acceleration of inclusive and sustainable economic growth, environmental stewardship, and social inclusion. More needed to be done to invest in early childhood development and skills for youth, in order to achieve a better match between what was learnt in school and labour market needs. Another priority was to build up the resilience of local communities and vulnerable populations through more targeted and effective interventions.
- 190.** Ms King highlighted the importance of collaborative and consultative efforts at the highest political level to tackle the challenges of implementing the African Charter and Agenda 2063. The Charter and the Agenda were mutually reinforcing in addressing poverty and inequality. The ratification of the Protocol on the Rights of Women in Africa, known as the "Maputo Protocol", by many African countries was an important step forward. Many States that were signatories of the African Charter were reporting on their application of FPRW and ratified ILO Conventions in their countries.

- 
- 191.** The ACHPR worked on national action plans with Member States of the African Union that faced implementation challenges in order to realize the right to work, eliminate the worst forms of child labour, prohibit forced labour and guarantee trade union rights, and overcome inequalities and high rates of youth unemployment. Young people had a special vulnerability when looking for jobs, particularly in the context of mobility and migration. They needed to be protected, but also encouraged to contribute to the economic and social development of the region by creating jobs themselves.
- 192.** Ms Gilmore stressed that the world of work and safe workplaces were essential settings for the realization of FPRW and human rights; in that regard, the Office of the High Commissioner for Human Rights (OHCHR) and the ILO were definitely on the same agenda. As human rights were defined as universal, inalienable and indivisible, and since people spent more time in work than on any other activity of their lives, human rights at work were a centrepiece of the broader human rights agenda, as set out in many international human rights treaties. In practice, that meant, for example, recognizing the role of human rights defenders in the world of work, protecting workers' representatives, ensuring universal coverage of human rights, including for all categories of workers in the informal economy, and securing their rights to physical integrity, freedom of assembly and expression, and entitlement to a fair share of income.
- 193.** The UN Guiding Principles on Business and Human Rights had provided public and private actors with guidance on how to advance human rights. The intent of the Guiding Principles was to contribute to a better understanding of why human rights were not only common values and the "rules of the game" but also good for businesses. Societies could not afford to tolerate discrimination, as that represented a tremendous waste of human capacity and undermined people's contribution to society.
- 194.** Increasing economic and social inequalities worldwide could lead to challenges to governance and the realization of human rights. She forewarned of the unmet expectations of millions of young people in developing countries looking for better employment and life opportunities through mobility and migration but at the same time becoming more vulnerable to abuses of their rights. The present generation therefore had the chance to meet that challenge. There was a need to work on a development model that was sustainable and accountable and which increased international cooperation. Unless employers and workers were brought to that project, it would not be able to move as fast as was needed. Tackling those challenges demanded a greater sense of determination and urgency.
- 195.** Mr Palanivel agreed that inequality was one of the greatest threats of the twenty-first century and a grave impediment to achieving sustainable development. The international community had integrated inequality in the SDGs, thereby directly or indirectly suggesting ways to measure and monitor the phenomenon. However, political space was needed to advance the SDGs, and the organizations of the United Nations system needed to collaborate with other partners and support member States in mainstreaming the 2030 Agenda into national development plans and budgetary frameworks. Each United Nations agency had its specific field of expertise in which it provided assistance and political support to countries, and the United Nations had established country-level frameworks to ensure coordination, reduce fragmentation and transaction costs, and avoid overlapping mandates. The United Nations agencies collaborated in the context of the periodic review, at global, regional and country levels, by organizing forums aimed at sharing best practices and lessons learned and accordingly supported member States through capacity building and monitoring.
- 196.** Ms Gilmore, responding to the Worker Vice-Chairperson, stated that the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association was indeed groundbreaking and underlined the importance of ensuring human rights, including at the workplace. It recalled the sense of interconnectedness in the world and the importance of

---

people's rights to access information, to freedom of expression, and to consultation. It also reported that national laws did not protect the employment situations of the majority of people, and especially of vulnerable groups, such as indigenous peoples and women, who often found themselves working in the informal economy. It was essential to integrate those people into legal frameworks so that everybody was protected. In some cases, legislation was not in line with fundamental principles.

- 197.** Responding to the Employer spokesperson, she pointed out that the OHCHR was making efforts to enhance policy coherence, which was key. New partnerships were being explored, such as with employers to better understand their demands and promote best practices. Moreover, the OHCHR had invested in mainstreaming human rights principles by supporting Resident Coordinators' offices in the elaboration of national development plans, and assistance had been provided through the convening of interest groups in countries with the aim of helping to address non-discrimination, representation and accountability. The OHCHR was also looking at the demand side to safeguard rights and noted the references to consumption in the 2030 Agenda. It was important to clarify how human rights could be promoted, considering that people should be able to use their choices as consumers as incentives to defend their rights.
- 198.** In answering to the Employer spokesperson and the Government member of Canada on discrimination, Ms King noted that countries had introduced a number of mechanisms to give effect to the Maputo Protocol to the African Charter, such as gender commissions and arrangements for better provision of information and data on inequality. It was important to collect better statistical information on the work situation of women and to make their contribution (and particularly that of women outside the formal sector) to the economy more visible. The ACHPR provided capacity building to its member States and stakeholders so that they, in turn, could give practical guidance and build partnerships between education and training institutions and employers. The ACHPR had also developed a tool to monitor implementation of the UN Guiding Principles on Business and Human Rights.
- 199.** Adding to the reply of Ms King, Mr Palanivel considered that gender equality was a key driver for human development. With only 30 per cent of women in the labour market, countries were missing an enormous opportunity for economic, social and human development. At the country level, UNDP was advocating with parliaments and political leaders to increase the percentage of women in the labour market and was reporting progress as reflected in the gender equality index. He highlighted UNDP collaboration with other UN agencies and its work with the private sector and vulnerable groups such as young people and migrant workers.
- 200.** Mr Verbeek stated that development needed to be based on overcoming inequalities. The main mechanism that the World Bank used for that purpose was country partnership agreements. Project proposals to be funded by the World Bank had to show how they would address gender issues and generate benefits for both men and women.
- 201.** In responding to the questions asked by the Worker Vice-Chairperson and the Government members of Malta and Ethiopia, Mr Palanivel added that the UNDP supported refugees and vulnerable workers in conflict areas, conducting needs assessments with international partners, creating livelihood options to sustain a minimum income for vulnerable populations and advocating for social protection measures in crisis situations. He pointed to the enormous challenge of identifying indicators that could measure new dimensions of human development, such as labour issues, gender equality or environmental sustainability, given different timelines and the lack of statistical and comparable information in many countries. While UNDP was reviewing the human development index (HDI) to include and weigh new indicators, it was also looking into providing better narrative information on those issues in the Human Development Reports.

- 
- 202.** Ms King referred to the vulnerability of children in conflict and crisis situations, favouring a preventive strategy based on good governance and democracy. She stressed the need for countries to invest more in building democracy and protecting human rights while paying close attention to decentralization, since the local level was where people should be able to enjoy goods and services. Responding to a question of the Government member of Mauritius about punishment of victims of child labour, she suggested that in order to prevent such double discrimination, greater efforts should be made to eliminate child labour.
- 203.** Responding to the questions asked by the Government members of Malta and the United States, Mr Verbeek explained that the new safeguard policies included key labour aspects and compliance with FPRW. As that was a new requirement for which World Bank staff had not yet been trained, close collaboration with the ILO was needed to provide the Bank, as well as partner institutions at the country level, with the necessary guidance, skills and expertise. One mechanism to that end could be through the ILO playing an advisory role to the Bank's project revision board. In addition, the Bank was facing an increasing number of requests from countries in conflict and crisis situations. As the Bank was not a humanitarian development partner, it was focusing more on prevention and post-crisis development, such as through housing, education or health programmes for refugees.
- 204.** He said that the World Bank had created a three-person inspection panel, which was empowered to investigate individual complaints of non-compliance by the Bank with its own labour standards. That mechanism had recently been used in Uzbekistan, where a World Bank-supported project in the cotton-growing sector had been associated with the risk of forced and child labour. The World Bank had contracted the ILO to monitor the situation and to train local staff, thereby promoting FPRW and building capacity.
- 205.** On the same questions, Mr Palanivel said that the UNDP worked with United Nations Country Teams and national institutions in promoting economic diversification, overcoming skills mismatch problems and ensuring a minimum wage framework. It was thus not merely providing technical assistance but also raising the quality of employment.
- 206.** Ms King said that her organization was working with the African Union and the ILO on developing a protocol to the African Charter on social protection and social security for vulnerable groups, which would cover FPRW, migrant workers, and women and children.
- 207.** Responding to the question of the Worker Vice-Chairperson, Mr Verbeek explained that the World Bank's shareholders (its 187 member countries) had not been able to agree on the proposed Environmental and Social Standard 2 on labour and working conditions, but the Bank was working with the ILO to implement as many of its provisions as possible. Coming back to the question about crisis response asked by the Government member of Malta, he informed that a high-level plenary meeting on addressing large movements of refugees and migrants had been held in connection with the 71st session of the United Nations General Assembly in 2016, and follow-up action had been entrusted to the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, respectively. It was expected that progress would be reviewed by the General Assembly in 2018.
- 208.** Responding to the questions from the Employer spokesperson and the Government member of Ghana, he also recalled that the Third International Conference on Financing for Development, held in Addis Ababa in July 2015, had identified four categories of financial resources. The World Bank was working with the OECD and the IMF on promoting domestic resource mobilization and private sector financing of its projects. It had also increased the International Development Association's "window" and obtained low-interest loans from the financial market.

- 
- 209.** Mr Palanivel concluded that a working group had been set up to ensure that the new UNDAF would incorporate issues of FPRW, the minimum wage and child labour. The UNDP would work with other stakeholders on generating data, especially related to the labour market. There needed to be more advocacy of ratification of Conventions and monitoring of implementation of their provisions, as part of efforts to monitor progress towards the SDGs.
- 210.** Ms King emphasized the need to work with member States to ensure implementation of norms and standards such as FPRW, as well as work on the SDGs. Monitoring of implementation would require collaboration at all levels.
- 211.** The Chairperson thanked the moderator, the members of the panel and the delegates for their active contribution to a successful interactive exchange.
- 212.** At the conclusion of the Panel discussion, the Chairperson welcomed the President of the Conference, Mr L.E. Carles Rudy (Panama) and the Employer Vice-President, Mr J.M. Lacasa Aso (Spain), and invited the President of the Conference to address the delegates.
- 213.** The President of the Conference highlighted the important role of the Committee. FPRW promoted social justice, since they constituted the pillars for sustainable peace and democracy. They had inspired the Constitution of the ILO and were still valid. Unjust working conditions were a threat to peace; decent work was a pillar of economic and social progress. He wished the Committee every success in its work.

## **Discussion of the draft resolution and conclusions**

- 214.** The Chairperson informed the Committee that 52 amendments had been received. He explored whether the Committee would adopt the draft conclusions document without discussing the 52 amendments. This was due to the extensive discussions that had gone into the document in the Drafting Group on 8, 9 and 10 June, and the fact that most amendments seemed to be of a cosmetic nature.
- 215.** The Employer spokesperson confirmed that the draft resolution had been discussed comprehensively and that there was no desire to open the discussions again. There were still some points that needed to be discussed as they were not only cosmetic. The Employers' group was open to discuss the amendments.
- 216.** The Worker Vice-Chairperson confirmed that deliberations of the Drafting Group had been difficult but had resulted in an agreed document that was a way forward even though it did not reflect everything that Workers, Employers or Governments would have wanted. As there were some good amendments that would improve the document, he proposed to discuss the amendments in a spirit of consensus.
- 217.** The Government member of Ethiopia, speaking on behalf of the Africa group, agreed that the discussion in the Drafting Group had been substantial. The Group was open to look at amendments and proposed to review substantive issues only.
- 218.** The Government member of Malta, speaking on behalf of the EU and its Member States, supported the views raised so far and proposed to discuss the amendments in a constructive manner.
- 219.** The Chairperson opened the floor for discussion of the amendments.

- 
- 220.** The Worker Vice-Chairperson introduced an amendment to replace “2008 Declaration” with “Social Justice Declaration” and use “Social Justice Declaration” as the short title instead of “2008 Declaration” throughout the text. That would make the text consistent with previous reports.
- 221.** The Employer spokesperson supported the amendment.
- 222.** The Government member of Malta, speaking on behalf of the EU and its Member States, and the Government member of Ethiopia, speaking on behalf of the Africa group, supported the amendment.
- 223.** The amendment was adopted as proposed.

## **Guiding principles**

- 224.** The Employer spokesperson introduced an amendment in the second line to replace the “1998 Declaration” with “1998 Declaration on Fundamental Principles and Rights at Work”. This was a first-time reference and should be reproduced as a full title.
- 225.** The Worker Vice-Chairperson supported the amendment.
- 226.** The Government member of Malta, speaking on behalf of the EU and its Member States, and the Government member of Ethiopia, speaking on behalf of the Africa group, supported the amendment.
- 227.** The amendment was adopted as proposed.
- 228.** The Government member of Ethiopia, speaking on behalf of the Africa group, proposed an amendment to insert in the fourth sentence, after the word “gaps”, “as indicated in the Office Report VI”.
- 229.** The Worker Vice-Chairperson and the Employer spokesperson appreciated the spirit in which the amendment was made, but did not support the modification on grounds that it would be repetitive.
- 230.** The amendment was withdrawn.
- 231.** The Worker Vice-Chairperson introduced an amendment to replace in the sixth line the words “reflect on” with “renew commitment to”.
- 232.** The Employer spokesperson supported the amendment.
- 233.** The Government member of Malta, speaking on behalf of the EU and its Member States, supported the amendment.
- 234.** The amendment was adopted.
- 235.** The Worker Vice-Chairperson introduced an amendment to replace the last sentence with “The International Labour Organization should support constituents based on their established and expressed needs, including those expressed in this recurrent discussion, to meet their obligations to realize fundamental principles and rights at work.”
- 236.** The Employer spokesperson and the Government member of the United States supported the amendment.



- 
237. The Government member of Malta, speaking on behalf of the EU and its Member States, proposed a subamendment to insert before the word “realize” the words “respect, promote and”.
  238. The Worker Vice-Chairperson noted that this was consistent with the amendment submitted by the EU and supported the subamendment.
  239. The Employer spokesperson, as well as the Government member of Ethiopia, speaking on behalf of the Africa group, supported the subamendment.
  240. The amendment was adopted as subamended.
  241. The Guiding principles paragraph was adopted as amended.

## **Framework for action**

### ***Point 1***

242. The Worker Vice-Chairperson introduced an amendment to replace in the last sentence “their obligations” with “this obligation”. That was to support the idea of obligation to respect, promote and realize FPRW. The Employer spokesperson and the Governments supported the amendment.
243. The amendment was adopted as proposed.
244. Point 1 was adopted as amended.

### ***Point 2***

245. The Government member of Ethiopia, speaking on behalf of the Africa group, proposed an amendment on clause 2(a) to replace in the French version of the text, the word “stratégiques” with “de politiques”.
246. The Employer spokesperson and the Worker Vice-Chairperson supported the amendment.
247. The amendment was adopted as proposed.
248. The Worker Vice-Chairperson proposed an amendment to clause 2(b) to delete the word “private” in the third line, as there were both private and public enterprises. That was also the proposal of the Government of Uruguay.
249. The Employer spokesperson supported the amendment.
250. The amendment was adopted as proposed.
251. The Government member of Malta, speaking on behalf of the EU and its Member States, introduced an amendment to clause 2(d) to insert in the second line, after “institutions”, “such as labour inspection services”. The reasoning was that the wording insufficiently captured the diversity in services provided across countries. That was also reflected in the proposed amendment by Brazil.
252. The Employer spokesperson disagreed with the amendment on the grounds that the wording “labour administration and other institutions” covered that point.

- 
- 253.** The Worker Vice-Chairperson agreed with the Employer spokesperson and advised on keeping the original language.
- 254.** The proposed amendment was withdrawn.
- 255.** The Government member of Malta, speaking on behalf of the EU and its Member States, as well as the Government member of Brazil, withdrew their similar amendments to clauses 2(d) and 2(e).
- 256.** The Employer spokesperson introduced an amendment to insert after clause 2(e) a new clause: “(f) communicating their needs and diverse realities in order to better inform the Organization on how it can support the realization of fundamental principles and rights at work on the ground, including through Decent Work Country Programmes”. The intent was to highlight the bottom-up approach that required the ILO to respect the needs of the constituents.
- 257.** The Worker Vice-Chairperson and the Government member of Ethiopia, speaking on behalf of the Africa group, supported the amendment.
- 258.** The new clause was adopted as 2(f) as proposed.
- 259.** Point 2 was adopted as amended.

### ***Point 3***

- 260.** The Worker Vice-Chairperson introduced an amendment to move the phrase “in line with their specific circumstances” in the third and fourth lines to the second line, after the word “constituents”.
- 261.** The Employer spokesperson, as well as the Government member of Malta, speaking on behalf of the EU and its Member States, supported the amendment.
- 262.** Point 3 was adopted as amended.

### ***Point 4***

- 263.** The Government member of the United States, speaking on behalf of Australia, Japan, New Zealand and Switzerland, introduced an amendment to replace the words “campaign for the” in the first line of clause 4(a) with the word “seek”, in order to focus attention on the goal of universal ratification of the eight fundamental Conventions, rather than on the efforts required to achieve that goal.
- 264.** The Government member of Malta, speaking on behalf of the EU and its Member States, supported the amendment.
- 265.** The Worker Vice-Chairperson and the Employer spokesperson were opposed to modifying the original wording.
- 266.** The amendment was rejected as there was no majority in favour.
- 267.** The Employer spokesperson introduced an amendment to insert a new clause after clause 4(b): “focus on better understanding the diverse realities and needs of members with a view to ensuring the realization of fundamental principles and rights at work;”.

- 
- 268.** The Worker Vice-Chairperson, the Government member of Malta (on behalf of the EU and its Member States), as well as the Government member of Ethiopia (on behalf of the Africa group), supported the amendment.
- 269.** The amendment was adopted.
- 270.** Point 4 was adopted as amended.

### **Point 5**

- 271.** The Government member of Uruguay introduced an amendment to replace the word “gaps” in the third line of clause (a) with the word “problems”, on the grounds that the fundamental Conventions were either applied or they were not; it was therefore erroneous to speak of “gaps in implementation”.
- 272.** The Government member of Chile seconded the amendment.
- 273.** The Employer spokesperson and the Worker Vice-Chairperson were opposed to modifying the original wording, which connoted the distance between the goal of full realization of FPRW and the reality.
- 274.** The amendment was withdrawn.
- 275.** The Government member of Ethiopia, speaking on behalf of the Africa group, introduced an amendment to clause 5(c) to add the words “and the rural economy” after “the informal economy”.
- 276.** The Chairperson pointed out that this was in line with another amendment proposed by the Worker Vice-Chairperson to make a reference to “rural workers” rather than to the “rural economy”. The Worker Vice-Chairperson’s amendment was supported by the Employers. The Africa group withdrew their amendment.
- 277.** The Workers’ amendment was adopted.
- 278.** The Government member of India introduced an amendment to clause 5(d) to add, after “the private sector” at the end of the clause, the words “while ensuring that there is no conflict of interest between voluntary contributions and the core mandate of the ILO”. The amendment was seconded by the Worker Vice-Chairperson.
- 279.** The Employer spokesperson and the Government member of Ethiopia, speaking on behalf of the Africa group, supported the amendment.
- 280.** The amendment was adopted.
- 281.** The Worker Vice-Chairperson submitted an amendment to clause 5(g) to replace in the first line, the word “which” with “that”.
- 282.** The amendment was adopted.
- 283.** The Government member of Ethiopia, speaking on behalf of the Africa group, for the sake of better phrasing, introduced an amendment to change the title of the section preceding point 6 to “Building capacity and strengthening development cooperation”.
- 284.** The Worker Vice-Chairperson and the Employer spokesperson supported the amendment.

---

285. The amendment was adopted.

286. Point 5 was adopted as amended.

### **Point 6**

287. The Government member of Malta, speaking on behalf of the EU and its Member States, submitted an amendment to point 6 to insert after “should”, “within broader efforts to build capacity in the pursuit of decent work”. The purpose of the amendment was to indicate that capacity building on FPRW should not be conceived in isolation from other ILO activities. The Worker Vice Chairperson and the Employer spokesperson supported the amendment.

288. The Government member of New Zealand proposed a subamendment to reword the phrase to read “as part of broader efforts to promote decent work”.

289. The Government member of the United States supported the subamendment.

290. The Government member of Malta, speaking on behalf of the EU and its Member States, also supported the amendment.

291. The Worker Vice Chairperson and the Employer spokesperson supported the subamendment.

292. The amendment was adopted as subamended.

293. The Government member of Mexico proposed an amendment under clause 6(b) to add “as well as on effective implementation of the Minimum Age Convention, 1973 (No. 138).” at the end of the phrase. The purpose of the amendment was to highlight the importance of Convention No. 138 alongside the other fundamental Conventions.

294. The amendment was not seconded and fell.

295. The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment to clause 6(d) to insert, in the first line after “institutions”, “, including through IPEC+, Global Action for Prevention on Occupational Safety and Health, Better Work and all other ILO flagship programmes,”. The purpose of the amendment was to highlight the role that ILO flagship development programmes can play in capacity building of FPRW.

296. The Workers’ and the Employers’ groups did not support the amendment.

297. The amendment was withdrawn.

298. The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment in the second line of clause 6(d) to insert “all” after “realize”. This amendment was proposed to emphasize the importance of targeted capacity-building support for all FPRW.

299. The Worker Vice Chairperson and the Employer spokesperson supported the amendment.

300. The amendment was adopted as proposed.

301. The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment to point 6(e) in the second line, to insert the phrase “human

---

trafficking, modern slavery” after “forced labour”. The purpose of the amendment was to link this point explicitly to SDG target 8.7, which made reference to human trafficking and forced labour.

- 302.** The Government member of the United Kingdom said that while the Committee was correct that all parts of modern slavery were included in Goal 8.7, the United Kingdom would argue that including modern slavery and human trafficking made clear that the language should fully reflect the SDG 8.7 language, which was as follows: “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour”. The inclusion of modern slavery and human trafficking is also in alignment with the text agreed in *Provisional Record* No. 11-1 in point 11(b).
- 303.** The amendment was not supported by either the Worker Vice Chairperson or the Employer spokesperson, as a reference to SDG target 8.7 was already included.
- 304.** The amendment was withdrawn.
- 305.** The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment to point 6(e), to insert the phrase “as a contribution to SDG target 8.7” after “child labour”. She proposed a subamendment to insert “reflected in” instead of “a contribution to”.
- 306.** The amendment was supported by the Worker Vice Chairperson and the Employer spokesperson.
- 307.** The amendment was adopted as subamended.
- 308.** The Government member of Brazil proposed to insert after clause (e) and before clause (f), the following new clause: “foster information, dissemination and raise awareness of the issue of elimination of discrimination in employment and occupation;”. He mentioned that discrimination was not addressed throughout this point, but was clearly interlinked with other fundamental principles and rights at work, so a need for more research on these interlinkages should be included.
- 309.** The Worker Vice-Chairperson seconded the amendment.
- 310.** The Employer spokesperson, the Government members of Panama and India expressed their support for the amendment.
- 311.** The amendment was adopted.
- 312.** The Government member of Ethiopia, speaking on behalf of the Africa group, proposed to use the plural form “implementation gaps” in the last line of the point. He considered this to be grammatically more correct as it also pointed out a variety of different gaps.
- 313.** The Worker Vice-Chairperson, the Employer spokesperson, the Government members of the United States, Malta (on behalf of the EU and its Member States), Canada and India supported the amendment,
- 314.** The amendment was adopted.
- 315.** The Government member of Malta, speaking on behalf of the EU and its Member States, proposed to insert after clause (f) the following new clause (g): “in accordance with the decision of the Governing Body at its 328th Session, provide technical assistance to

---

constituents requesting support in the context of applying labour provisions in trade agreements;”. She considered that the report submitted to the Committee was already making reference to trade agreements and that the Governing Body, at its 328th Session in November 2016, had asked the Office to have a closer look at those issues. She suggested to subamend the proposal, deleting “in accordance with the decision of the Governing Body at its 328th Session”.

- 316.** The Employer spokesperson did not support the amendment, as there was already a reference in the draft resolution under point 7(j) to labour provisions in trade agreements.
- 317.** The Worker Vice-Chairperson welcomed the intent to include the issue also here, but considered that in view of consensus in the Drafting Group, he would not support the amendment.
- 318.** The amendment was not adopted.
- 319.** Point 6 was adopted as amended.

### ***Point 7***

- 320.** The Government of Ethiopia, speaking on behalf of the Africa group, proposed to insert before “continue”, the words “in collaboration with member States”. He considered that the process of developing the estimates on child labour and forced labour should consider a bottom-up approach and promote ownership of constituents with this process.
- 321.** The Worker Vice-Chairperson, the Employer spokesperson and the Government member of Malta (on behalf of the EU and its Member States), supported the amendment.
- 322.** The amendment was adopted.
- 323.** The Employer spokesperson introduced an amendment to replace “address” by “examine” in the first line of clause (f).
- 324.** The Worker Vice-Chairperson and the Government member of Malta, speaking on behalf of the EU and its Member States, supported the amendment.
- 325.** The amendment was adopted.
- 326.** The Government member of India decided not to introduce their amendment to add “while taking into account the conclusions adopted by the International Labour Conference at its 105th Session concerning decent work in global supply chains” in the last line after “in global supply chains”.
- 327.** The Government member of Uruguay, seconded by the Government member of the Plurinational State of Bolivia, introduced an amendment to clause (k) to replace “as defined in” with “in accordance with”. He explained that the present wording should not only refer to the definition of rights as enshrined in the 1998 Declaration, but also take into account the broader promotional aspect of the Declaration as a whole.
- 328.** The Worker Vice-Chairperson considered that the original wording was more appropriate and did not support the amendment.
- 329.** The Employer spokesperson did not support the amendment either.
- 330.** The amendment was withdrawn.

- 
- 331.** The Government member of Malta, speaking on behalf of the EU and its Member States, proposed to insert “including the suitability and feasibility of integrating the right to safe and healthy working conditions into the fundamental principles and rights at work” at the end of clause (k) after “conditions”. She welcomed that the point already included a reference to safe and healthy working conditions, but also considered that the ILO should explore the feasibility to include occupational safety and health into FPRW for three major reasons. First, this was an issue clearly referring to the life, health and dignity of workers, so it would be completely in line with the spirit of the Declaration. Second, it was already part of many other international human rights instruments. Third, the celebration of 20 years of the Declaration next year would provide the ILO with an appropriate opportunity to initiate the process for reflection.
- 332.** The Worker Vice-Chairperson said he strongly supported the proposal of the EU and its Member States and would be looking forward to continue working together on this issue. He considered, nevertheless, that the discussion should not be reopened in that juncture after the long discussion that took place in the Drafting Group. He would therefore not support the amendment.
- 333.** The Employer spokesperson also stated that the discussion of the Drafting Group should not be reopened at that moment.
- 334.** The amendment was withdrawn.
- 335.** Point 7 was adopted as amended.

### **Point 8**

- 336.** The Government member of Malta, speaking on behalf of the EU and its Member States, introduced an amendment in clause (a) to insert “in particular where there is a significant ratification gap, namely Conventions Nos 87 and 98 and the Protocol to the Forced Labour Convention” on the first line after “ILO instruments”.
- 337.** The amendment was, however, withdrawn.
- 338.** The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment to insert in clause (c) after “occupation”, “including as regards age, disability and sexual orientation as grounds of discrimination” after “occupation”. She considered that Conventions Nos 100 and 111 already covered a number of aspects of discrimination, but that the three mentioned were not yet included and needed specific attention.
- 339.** The Worker Vice-Chairperson mentioned that they had also proposed to include gender identity during the discussions in the Drafting Group, but he would prefer not to open the discussion again at this stage.
- 340.** The Employer spokesperson did not want to reopen the discussion.
- 341.** The Government member of Malta withdrew the amendment.
- 342.** Point 8 was adopted as amended.

### **Point 9**

- 343.** Point 9 was adopted without amendment.

---

**Point 10**

344. The Government member of Uruguay proposed deleting the whole point.
345. The amendment was withdrawn.
346. The Government member of Ethiopia, speaking on behalf of the Africa group, introduced an amendment to insert “and creates coherence with international labour standards” after “collaboration”, to paraphrase in a better way the intended meaning of this paragraph.
347. The Worker Vice-Chairperson suggested to introduce a subamendment in line with a separate amendment they had proposed, to replace in the third and fourth lines, “and supporting implementation of these new policies, and creates coherence with international standards.” with “supporting implementation of these new policies and promoting coherence with international labour standards.”.
348. The Employer spokesperson supported the subamendment suggested by the Workers.
349. The Government members of Ethiopia (on behalf of the Africa group), of Malta (on behalf of the EU and its Member States), and the United States supported the subamended text.
350. The amendment was adopted as subamended.
351. Point 10 was adopted as amended.

**Point 11**

352. The Government member of Malta, speaking on behalf of the EU and its Member States, proposed an amendment at the end of clause (b) to insert “and the Global Deal”.
353. The amendment was withdrawn.
354. Point 11 was adopted without amendment.

**Point 12**

355. The Government of Ethiopia, speaking on behalf of the Africa group, introduced an amendment to clause (a) to delete the words “in relation to the 2030 Agenda” at the end of the clause, and to insert them after “promote” in the first line.
356. The Worker Vice-Chairperson, the Employer spokesperson, the Government members of Malta (on behalf of the EU and its Member States), and Canada supported the amendment.
357. The amendment was adopted.
358. The Government member of Ethiopia, speaking on behalf of the Africa group, introduced two amendments to clause (b) to insert “promote” at the beginning of the paragraph and eliminate it after “(OHCHR)”.
359. The Worker Vice-Chairperson, the Employer spokesperson and the Government member of Malta (on behalf of the EU and its Member States), supported the amendment.
360. The amendment was adopted.



- 
- 361.** The Government members of the United States and Japan introduced an amendment in the second line of clause (c) to replace “reflect” with “promote”.
- 362.** The Worker Vice-Chairperson, the Employer spokesperson, the Government members of Ethiopia (on behalf of the Africa group), and Malta (on behalf of the EU and its Member States), supported the amendment.
- 363.** The amendment was adopted.
- 364.** The Government member of Malta, speaking on behalf of the EU and its Member States, introduced an amendment to add a new clause (e) after clause (d): “in accordance with the decision of the Governing Body at its 328th Session, develop partnerships with relevant international organizations and others with a view to offering integrated policy advice to constituents regarding promotion of the fundamental principles and rights at work in the context of trade and investment opening as part of the implementation of the 2030 Agenda; and”. That was an important point not to be left out as it was already part of the mandate given to the Office through a Governing Body decision in November 2016.
- 365.** The Worker Vice-Chairperson agreed on the amendment, but proposed a subamendment to eliminate the explicit reference to the Governing Body decision. He proposed the following wording for clause (e) as agreed upon previously: “develop partnerships with relevant international organizations and others regarding the promotion of the fundamental principles and rights at work in the context of trade and investment”.
- 366.** The Employer spokesperson and the Government members of Malta (on behalf of the EU and its Member States), and Canada, supported the amendment and the proposed subamendment.
- 367.** The amendment was adopted as subamended.
- 368.** Point 12 was adopted as amended.

## **Closing remarks**

- 369.** The Employer spokesperson expressed her appreciation and strong satisfaction with the results of long and intense discussions. On behalf of the Employers’ group she thanked the Drafting Group and the Office secretariat, as well as the Worker Vice-Chairperson. She reiterated the full commitment of the Employers’ group to the four categories of FPRW. It was constructive that the Committee had maintained its distinctive and special focus on these principles. Trying to extend the scope of FPRW would be problematic and the Employers would not support such an approach.
- 370.** She re-emphasized the need that the ILO respond to increasing demand and focus on implementation gaps related to FPRW, privileging a bottom-up approach. The Employers would expect to see more balanced and accurate reporting, analysis and feedback on these issues. Policy discussions were always challenging so they needed to focus on practical actions. The conclusions of the Committee should inspire the achievement of concrete results on the ground. She expressed thanks to all participants for the spirit of collaboration and for having finalized the discussion one day ahead of schedule.
- 371.** The Worker Vice-Chairperson expressed his appreciation for the tripartite spirit of commitment, consensus and social dialogue with which the Committee was able to do its work. The central issue for the Workers’ group was how we can most effectively ensure full realization of the fundamental principles and rights at work in the changing world of work.

- 
- 372.** Notwithstanding progress made since the adoption of the 1998 Declaration almost 20 years ago, significant gaps in implementation remained, as highlighted by the Office's report. Some 168 million children remained in child labour. Women were over-represented in low-paid, insecure work and earned only 77 per cent of what men earned to do the same work. The number of workers affected by forced labour and modern slavery was rising. The ITUC Global Rights Index 2017 demonstrated that the number of countries experiencing physical violence and threats against workers had risen by 10 per cent in just one year. Workers and their representatives were increasingly facing threats, violence and an alarming crisis in the application of the rule of law. The attacks on freedom of association and collective bargaining perpetuated poverty, discrimination, child labour and forced labour, and were contributing to rising economic and political instability. He stressed that Conventions Nos 87 and 98 were the least ratified fundamental Conventions. Approximately half of the world's population lived in countries that had still not ratified those Conventions and more needed to be done.
- 373.** While some progress had been made with regard to child labour, the implementation gap with regard to freedom of association and collective bargaining was still growing at an alarming pace. This was one of the reasons why the Workers' group attached great importance to stepping up ILO action to campaign for universal ratification of all fundamental Conventions, in particular Conventions Nos 87 and 98, and why they insisted on an integrated strategy with balanced support for all four categories of FPRW. The 1998 Declaration stressed that FPRW were universal human rights, but the challenges and the approaches to ratification, implementation and full realization of FPRW would necessarily be different from country to country.
- 374.** He stressed that the ILO had a number of tools and resources to overcome those challenges, such as a better use of Annual Reviews under article 19, including through synergies with the work of the ILO supervisory bodies and technical assistance. The 2030 Agenda offered an important opportunity for the ILO to reshape and reframe its work in order to increase its impact.
- 375.** The Office had been asked to develop an action plan to support activities on SDG target 8.8, to protect labour rights and promote safe and secure working environments for all workers. That target could only be reached through tripartism, social dialogue, freedom of association and the effective recognition of the right to collective bargaining which were also the hallmarks of the Global Deal, strongly supported by the Workers' group. A strong and targeted programme to promote freedom of association, collective bargaining, and social dialogue would be a valuable ILO contribution to the achievement of the SDGs.
- 376.** He emphasized that the ILO's research agenda was another effective tool. Research on the impact of collective bargaining and other FPRW on poverty and inequality; on policies to address sex-based discrimination and to measure equal pay for equal work; on issues relating to transnational social dialogue; on the impact on FPRW of non-standard forms of employment; on ensuring FPRW in the transition to an environmentally sustainable economy; and on the impact of labour provisions in trade agreements would keep the ILO at the forefront of emerging issues in the world of work. Global estimates of collective bargaining; child labour; forced labour; and discrimination, including emerging grounds for discrimination, would be valuable benchmarks to measure progress. ILO analysis of gaps in existing standards on discrimination in employment, and on the relationship between FPRW and occupational safety and health, would provide critical insights.
- 377.** He recalled the views of the Workers' group on several issues discussed during the Committee. First, his group considered effective labour inspection to be an essential precondition to the full realization of FPRW, a view that was also reflected in the 2012 conclusions. The active participation of workers and workers' organizations was a

---

distinguishing feature of effective labour inspection systems and, generally, little resources were allocated to labour inspection and labour administration, both in terms of manpower and budgets.

- 378.** Second, his group considered that well-funded quality public services were critical to the full realization of FPRW. Governments should adopt policies to ensure adequate public funding for the provision of quality public services to protect and secure human rights, and stringent criteria were needed to ensure that private sector intervention was in line with public interest, especially where public resources are used to support the private sector.
- 379.** Third, “health and life at the workplace” was recognized as a basic human right. It would be very useful to further explore the interrelationship between the fundamental principles and rights and occupational safety and health. The ability of workers to organize allowed them to use their collective power to exercise their rights to health and safety at the workplace. The Workers’ group was very interested in exploring the possible integration of occupational safety and health into the FPRW.
- 380.** Furthermore, grounds for discrimination listed in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), did not reflect all the grounds for discrimination. Proactive measures were needed to address groups of workers who might be vulnerable to discrimination. It was important to continue identifying gaps in existing coverage of ILO standards with a view to determining whether there was a need for standard setting to complement Convention No. 111, in particular with regard to additional grounds for discrimination.
- 381.** He explained that the issue of trade and investment agreements were critically important to ensure that labour and social provisions of bilateral and multilateral agreements were fully consistent with FPRW, and that such agreements explicitly incorporated the eight core ILO labour Conventions, as well as other Conventions. The ILO should provide technical assistance in the context of applying labour provisions in trade agreements and develop partnerships with relevant international organizations with a view to offering coherent policy advice regarding promotion of FPRW in the context of trade and investment.
- 382.** In accordance with the conclusions of the discussion on global supply chains in 2016, governments should use public procurement to promote FPRW, taking into account the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), as this can have an important effect on workers’ rights and working conditions.
- 383.** A strong binding instrument should be developed to regulate, in international human rights law, the activities of transnational corporations and other enterprises. It should build upon the United Nations Framework for Business and Human Rights and include all internationally recognized human rights, including rights defined by international labour standards. The ILO and its tripartite constituents should actively engage in the treaty process to ensure that the treaty builds on, and does not prejudice, existing international labour standards.
- 384.** Finally, he noted that the Workers’ group understood the term “collective representation” in paragraph 6(c) of the agreed text to mean representation through trade unions and employers’ organizations.
- 385.** There was urgency to promote freedom of association, social dialogue and tripartism, and to close the growing implementation gap because it was contributing to an increase in economic inequality, which leads to political instability. It was also necessary to adapt collective bargaining to a rapidly changing world.

- 
- 386.** The Workers looked forward to future recurrent discussions to reflect upon the growth and expansion of collective bargaining and social dialogue. Approaching the 20th anniversary of the 1998 Declaration and the 100th anniversary of the ILO, there was an urgent need to strengthen the ILO's ability to help realize the universal FPRW and promote decent work for all. He concluded by calling to mark the 100th anniversary of the ILO by meeting the goal of universal ratification of the fundamental Conventions by 2019.
- 387.** The Government member of Malta, speaking on behalf of the EU and its Member States, thanked the Chairperson and the Vice-Chairpersons for their work in leading the Committee's discussion. She also acknowledged the Office, the translators and the interpreters for assisting in the work of the Committee. She expressed her gratitude to the Workers' and Employers' groups for their engaged and constructive contributions to the Committee and the consensual outcome document which she considered to be balanced, action-oriented and forward looking.
- 388.** She emphasized that the document provided orientation for the promotion of ratification and implementation, addressed enforcement aspects and provided for measures to strengthen capacity building and development cooperation. It was also an important achievement that the document referred to gender equality, informal and rural economy, global supply chains and non-standard forms of employment. It also placed FPRW in the context of the 2030 Agenda, particularly Goal 8, and in the context of trade and investment.
- 389.** She was pleased that the conclusions mentioned the need for the ILO to promote the active participation of its constituents in multi-stakeholder partnerships on FPRW, such as the Alliance 8.7 and the upcoming Global Equal Pay Coalition, and that ILO flagship programmes played an important role in this regard.
- 390.** She welcomed that the conclusions provided the ILO with a mandate to conduct a gap analysis in existing ILO standards on discrimination, particularly with regard to age, disability and sexual orientation. She also stressed the importance of looking into the relationship between safe and healthy working conditions and FPRW.
- 391.** Finally, she highlighted that FPRW were key to decent work and sustainable development and that their promotion was at the heart of the role of the ILO. The EU was ready to work with all partners on concrete implementation of the conclusions.
- 392.** The Government member of Ethiopia, speaking on behalf of the Africa group, pointed out that Africa attached great importance to FPRW, despite the deficit in the implementation of FPRW still prevalent in many countries. The discussion in the Committee was rich, valuable and fruitful, and enabled the Africa group to learn from each other and to share experiences. FPRW were key for the current working environment.
- 393.** The spirit of tripartism and social dialogue had allowed for a transparent, inclusive and participatory discussion and a clear and concrete outcome outlining future tasks. He appreciated the leadership of the Chairperson, the secretariat and the high quality of the interpretation provided. The ILO's constituents were on board to promote, respect and implement universal FPRW.
- 394.** The Government member of Mexico congratulated the Chairperson for his way of conducting the work of the Committee. He congratulated the Office and the interpreters for their cooperation. The conclusions were consensus-based and had led to a well-balanced document that would support the promotion of FPRW. He also expressed appreciation for the new plan of action on FPRW.

---

**395.** The Chairperson expressed his gratitude for the work done by the Committee and highlighted the prevailing spirit of tripartite social dialogue that led to the good result. The adopted conclusions signalled a very strong commitment to promote the realization of FPRW in a changing world. He thanked the two Vice-Chairpersons and the Employer spokesperson, the Reporter of the Committee, the regional groups, individual governments, all the members of the secretariat and the interpreters, and invited all delegates to attend the Conference plenary meeting on the adoption of the Committee's conclusions.

Geneva, 15 June 2017

*(Signed)* S. Ndebele  
Chairperson

R. Hornung-Draus  
Employer Vice-Chairperson

K. Ross  
Worker Vice-Chairperson

V. Lopez  
Reporter



---

## Appendix

### Fate of amendments to draft resolution and conclusions

1. The following amendments were adopted:  
D31, D28, D39, D38, D37, D30, D34, D25, D36, D35, D26, D33, D14,  
D32, D29, D47, D48, D4, D8, D21, D27, D20, D18, D17, D16, D15, D24
2. The following amendments were adopted, as subamended:  
D45, D48, D19, D40, D55
3. The following amendments were rejected:  
D23
4. The following amendments fell:  
D41, D13, D22
5. The following amendments were withdrawn:  
D9, D42, D5, D43, D44, D11, D7, D6, D46, D49, D50, D10, D51, D52,  
D53, D12, D54