



▶ Record of Proceedings

1E

International Labour Conference – 110th Session, 2022

Date: 7 July 2022

Plenary sitting

Reports of the General Affairs Committee

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Friday, 10 June 2022, 2.30 p.m.

President: Mr bin Samikh Al Marri,
Government Vice-President of the Conference

Submission and noting of the second report of the General Affairs Committee and approval of the Committee's proposals

The President (Original Arabic)

It is with great pleasure that I declare open the tenth plenary sitting of the 110th Session of the International Labour Conference.

Let us turn our attention to the second report of the General Affairs Committee, which is contained in *Record of Proceedings No.1C*. The document contains a proposed resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work. The summary of the Committee's proceedings on this item can be found in *Record of Proceedings No. 1D*.

It is my pleasure to recall that the Officers of the Committee, all of whom are with us in the room here today, are: Mr Eheth (Cameroon), Chairperson; Ms Hornung-Draus (Germany), Employer Vice-Chairperson; and Ms Passchier (Netherlands), Worker Vice-Chairperson. The Reporter is Mr Kuje (Nigeria).

I will begin by giving the floor to Mr Kuje, so that he may present to us the Committee's second report. Thereafter the Officers of the Committee will take the floor.

Mr Kuje Reporter of the General Affairs Committee

It is an honour for me, part of the Government delegation of Nigeria, to report to the Conference on the work and outcome of the General Affairs Committee, which the Conference entrusted with the mandate to consider the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work.

The Committee has fulfilled its mandate by examining and approving a draft resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work that is now before you for adoption. The Committee has achieved this remarkable result by consensus, following intensive and constructive discussions over five days.

Through the adoption by the Conference of the resolution, the constitutional principle relating to occupational safety and health will henceforth be recognized as the fifth fundamental principle and right at work under the 1998 ILO Declaration on Fundamental Principles and Rights at Work.

The five fundamental principles and rights at work will now be: (i) freedom of association and effective recognition of the right to collective bargaining; (ii) the elimination of all forms of forced or compulsory labour; (iii) the effective abolition of child labour; (iv) the elimination of discrimination in respect of employment and occupation; and (v) a safe and healthy working environment.

Ever since the adoption of the ILO Constitution in 1919, the pursuit of the protection of the life and health of workers has featured prominently in the work of the ILO.

The step that the Conference is ready to take today illustrates the firm tripartite consensus among its membership on the primordial importance of protecting the life and health of workers in all corners of our world and across all economic sectors.

Should you decide to adopt the resolution, the constitutional objective of protecting workers against diseases and injuries will take on a contemporary significance and resonance. The ILO and its Members will be even better placed to pursue that objective with ever greater vigour and effectiveness in the future. The life, health and well-being of millions upon millions of workers across the world depend on this. Collectively, we have risen to this challenge.

Turning more specifically to the results of the work of the General Affairs Committee, these are due to no small extent to the preparatory work on this agenda item, undertaken prior to the Conference. This has been a coordinated effort by the Conference, the Governing Body and the Office, exercising their respective constitutional responsibilities.

Let me recall here that the Governing Body had decided to place on the agenda of the Conference the inclusion of a safe and healthy working environment in the ILO's framework on fundamental principles and rights at work through an amendment to paragraph 2 of the 1998 Declaration. The Governing Body had also requested the Director-General to prepare a draft resolution for consideration by the Conference and to organize consultations to facilitate the work of the Conference.

Through previous Governing Body discussions and informal consultations, tripartite consensus had largely been reached on much of the text of the draft resolution and its annex. At the time of opening of this 110th Session of the Conference, just four substantive issues in the draft resolution remained to be settled, namely: (i) the wording regarding the preambular paragraph on the respective roles of governments, employers and workers; (ii) the precise terminology for the new fundamental principle; (iii) the selection of the occupational safety and health instrument or instruments to be considered as fundamental; and (iv) the scope of a saving clause on the possible effects of the draft resolution on existing trade agreements.

Thus, we had the good fortune to commence our work in a favourable context.

We were then privileged to have Ambassador Salomon Eheth of Cameroon elected as the Chairperson of our Committee. Ambassador's Eheth's wisdom and patient search for consensus have guided the work of the Committee.

We were also privileged to have as our Vice-Chairpersons Ms Renate Hornung-Draus for the Employers' side and Ms Catelene Passchier for the Workers' side. The Vice-Chairpersons' mastery of tripartite negotiations and decision-making processes was instrumental in getting the job done.

Additionally, we were ably supported by all members of the Secretariat, led by Ms Martha Newton, representative of the Secretary-General. These colleagues worked tirelessly day and night, both on and behind the scenes.

We were therefore in excellent hands to assure the successful conduct of our business.

The Government members, the Employer members and the Worker members have acted in a spirit of openness and mutual respect throughout the entire discussions.

Twenty amendments were submitted in total, attesting to the thorough preparatory work. In just seven sittings the Committee was able to refine the text of the resolution and agree on all pending issues.

I would like to draw your attention to two aspects which stand out as being of particular importance.

First, on the issue of terminology relating to the new fundamental principle and right at work, general agreement on “a safe and healthy working environment” was reached rather promptly. A broad and simple formulation has thus been inserted as new paragraph 2(e) of the 1998 Declaration.

Second, the selection of the two new fundamental Conventions, namely, the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), was certainly the main focus of our deliberations. Different views and preferences were expressed, always with conviction and well-founded arguments, but at the end dialogue and the spirit of compromise paved the way to a generally acceptable result.

As demonstrated so often in the past, the work of this Committee has shown tripartism and social dialogue at their best. I am proud and humbled to have been part of this grand endeavour to recognize a safe and healthy working environment as a fundamental principle and right at work.

May this historic resolution – upon its adoption by the Conference – truly benefit, as it must, many millions of workers around the world today and for the years to come.

Ms Hornung-Draus

Employer Vice-Chairperson of the General Affairs Committee

At this session of the International Labour Conference, we have written history. Adding occupational safety and health as the fifth pillar of the ILO Declaration on Fundamental Principles and Rights at Work of 1998 is a landmark decision. The 1998 Declaration is one of the central documents of this house, and its impact is deep not only within but also far beyond the International Labour Organization.

The solemn confirmation of the existing constitutional principle of a safe and healthy working environment, by including it as the fifth pillar of the 1998 Declaration, reconfirms that all ILO Members need to step up their work in respect of the realization of a safe and healthy working environment. However, the 1998 Declaration is also widely referenced in trade and investment agreements, in international framework agreements between company management and global union federations and workers, and of course in corporate policy statements. The United Nations Guiding Principles on Business and Human Rights directly refer to it. Thus, the inclusion of occupational safety and health as a fundamental principle and right at work will raise this issue in this context as well, and we as Employers strongly support this.

Indeed, as is well known from publicly available statistics, employers invest billions and billions of dollars every year in the occupational safety and health of their workers. The discussions in the General Affairs Committee and in the preparatory meetings have not always been easy. This is not because we are not all equally convinced of the importance of occupational safety and health, but because sometimes we have different approaches and also because of the challenges of the practical implementation of such a fundamental principle.

The question of which Conventions should be designated as fundamental has been particularly challenging. The Employers are not convinced of the fundamental nature of the Occupational Safety and Health Convention, 1981 (No. 155), but in the end we have joined the majority in order to ensure that we can agree by consensus and give a unified message on the importance of occupational safety and health from this International Labour Conference.

Now, strong and determined efforts are needed to give effect to occupational safety and health as a fundamental principle and right at work. The spirit of the 1998 Declaration is to identify specific needs in Member States and to work together to find solutions. The Office must be able to respond to requests for technical assistance. The ability of the Office to support its constituents in the realization of the fundamental principle and right is of crucial importance; otherwise, the impact of the 1998 Declaration and the inclusion of occupational safety and health will be limited.

Sessions of the International Labour Conference are extremely work-intensive for all of us. However, the people who work most are the ILO colleagues in the Office, who have worked day and night to facilitate our discussions. I would like wholeheartedly to thank Martha Newton, Lisa Wong and the whole team for their great work during the session, as well as for the very well-conducted preparatory work. Their deep commitment has been a cornerstone for the success of the General Affairs Committee and I would like to thank them for that on behalf of the entire Employers' group. I would also like to thank the Chairperson, Ambassador Salomon Eheth, for his dedication to find consensus among all parties and for running the Committee in an extremely smooth, impartial and always friendly and elegant way. Let me also thank the Worker Vice-Chairperson of the Committee, Catelene Passchier, for her efforts to try to find a consensus and for her relentless commitment to this topic. And, of course, I would also like to thank all the Governments for their strong engagement and support in the discussions.

The proposed resolution notes that a safe and healthy working environment requires the active participation of governments, employers and workers through a system of defined rights, responsibilities and duties, as well as through social dialogue and cooperation. Let me assure you that employers are deeply committed to live up to these expectations and to work tirelessly with workers and governments in order to contribute to the realization of a safe and healthy working environment as a fundamental principle and right at work.

Ms Passchier

Worker Vice-Chairperson of the General Affairs Committee

Every year, 3 million people die at work or because of work-related incidents and diseases. They die while trying to make a living and will not come back home to their loved ones. Every one of those deaths is a human tragedy and a disgrace. So, let me pay tribute to the victims' families, communities, friends and workmates, for whom the non-respect for the fundamental right to occupational safety and health (OSH) is deeply personal. For them, and for us as the Workers' group, this is a solemn moment.

Many more than those 3 million people are injured or made ill by their work. Most of these illnesses or injuries could be prevented if the right steps are taken. We must reduce the terrible toll of death, disease and injury that results from work. The decision we are taking today will stand as a strong commitment that we can and must do more and better to protect workers' lives and safety.

At this moment today, ready to adopt the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, I

want first of all to acknowledge the important contribution to this outcome of Deputy Director-General Martha Newton and her team from the Office; the skilful leadership of Mr Salomon Eheth, Chairperson of the General Affairs Committee, whose wisdom is clear from his first name; the enormous commitment of Government groups and Governments; and the readiness of Employers under the leadership of Ms Renate Hornung-Draus to find common ground. Special thanks go to the Workers' group and to my own team for their solid support in reaching an outcome of which we can now all be proud. Let me also thank all the workers around the world who campaigned for this, all the employers who joined forces with them, and all the OSH experts, professionals and practitioners urging us to take action. This has been a truly global effort and we would not have reached this outcome without them.

While this is indeed a historic achievement, at the same time it is only the start of a much more important work programme for the ILO and beyond, in terms of putting our decision into effect.

I mentioned last week, when congratulating my Employer counterpart on our consensus-based conclusions, that the success of our negotiations showed the value of women in leadership. But let me say today that we will need a much stronger focus on women in the working environment. Often, women are left out of the picture when it comes to serious OSH risks. We only need to look at the care sector and the impact of the pandemic to see an enormous challenge there in terms of the better protection of all workers. Furthermore, let us be aware that, beyond the two Conventions that will now be declared fundamental, there is an impressive body of OSH standards, built up over the last 100 years, of a general nature but also of a sectoral nature – think about mining and construction – or addressing specific risks – such as chemical hazards, air pollution and pesticides – that requires our reinvigorated attention.

In addition, we need to ensure that the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), will guide us in protecting all lives at work, regardless of gender, race or age and regardless of whether the workers are in the formal or the informal economy.

The Workers' group welcomes in particular the recognition of the Occupational Safety and Health Convention, 1981 (No. 155), as a core Convention, together with the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Indeed, the right of workers to be informed of risks and hazards in their working environment, to participate in the decision-making related to their working environment through workplace safety representatives and safety committees and to refuse work that puts their life and health at risk is quite literally of vital importance.

And we value the terminology agreed on, with its broad coverage, to ensure "a safe and healthy working environment". Convention No. 155 is especially clear about the responsibilities of governments and the duties of employers, as well as the commitment and participation they need from workers in order to meet their obligations. Both Conventions, with their complementarities, now set the standard against which national performance, regardless of ratification, will be judged.

National performance is very often influenced by trade negotiations, investments by global financial institutions, credit schemes and the operation of global supply chains, and not always in a positive sense. This explains why we had heated discussions on a clause that would clarify the impact of our decision on existing trade and investment agreements, if any. The Workers' group agreed with the explicit confirmation – in line with international law – that our resolution will not have any unintended effects on rights and obligations stemming from

existing agreements. But we certainly call on all Member States to review existing trade and investment agreements with a view to integrating the fundamental right to a safe and healthy working environment into their agreements as a matter of high priority. We also expect to see this fifth fundamental right built into mandatory due diligence laws for global supply chains and into future trade and investment agreements.

The ILO must now redouble its efforts, as will we as trade unions, to see the core Conventions ratified and implemented by more and more Member States. The G7 nations should play an exemplary role in this regard. We also want the ILO to take on a global leadership role on OSH in international institutions such as the World Health Organization and the World Trade Organization, in the international financial institutions and in bodies like the G7 and G20. This will require more commitment, more visibility and more resources to ensure that the ILO and its partners are able to put today's decision into practice.

Many of these issues will also require action by governments in respect of sick leave and social protection in relation to OSH generally, and in the provision of occupational health services, which are vital in order to protect workers from occupational illnesses, reduce sickness absences and lower the costs of welfare States by investing in prevention. These services can be provided in the workplace but they can also be part of a public health system. The arguments put forward by unions and also by OSH professionals on the importance of the Occupational Health Services Convention, 1985 (No. 161), if taken seriously, could produce wins for workers, employers and governments. This is an important reminder that OSH is about much more than two core Conventions, and any follow-up given by the ILO to today's decision must take that fully into account.

If occupational health had, in earlier days, achieved more attention in the context of public health, or if a biological hazards Convention had already been in place during the COVID-19 pandemic, tens of thousands of workers' lives might have been saved, millions of jobs would not have been lost, and there could have been shorter, lighter lockdowns leading to better mental health, less poverty and fewer incidents of domestic violence.

The decision we are taking today could make a huge difference to countries that continue to face high rates of workplace deaths and injuries – such as the deaths and injuries resulting from the regular textile factory fires in Bangladesh and India, and the deaths in mines in China, Pakistan, Türkiye and recently Colombia, to name but a few. The decision could drive good safety and health along global supply chains in garment manufacturing, food and farming, and electronics, all sectors where poor safety and health is a major burden on workers and has a negative impact on businesses as well.

Rigorous inspections, clear legal obligations and consultation with workers and their representatives are the best way to make workplaces safe and healthy, reduce work stoppages and sickness absences, and lower the costs to health and to the public purse. The Workers' group is proud of the social partnership in this house and of our joint commitment today to confirm OSH as a human right with genuine tripartite consensus. Now all we need is to get to work to deliver real improvements to the lives of workers and their families.

Director-General Guy Ryder played a key role in one of his former positions when the ILO Declaration on Fundamental Principles and Rights at Work was adopted in 1998, and he now ends his tenure as Director-General seeing the inclusion of OSH as a fifth fundamental principle and right at work. Let me call this a big "goodbye present" from all the constituents on his departure. He leaves to his successor, Mr Gilbert F. Houngbo, the important task of pursuing the implementation of this fifth fundamental principle and making the ILO the world leader on this issue. And, of course, we have high expectations in this regard.

Allow me to make one final comment: during the discussions, the Employers often reminded us that we are not really inventing a new fundamental right, but simply implementing a constitutional obligation, based on the ILO Constitution and the Declaration of Philadelphia. So let me remind you all that there is another right that is mentioned in the Constitution, which needs to be addressed with urgency, and that is the right to an adequate living wage.

As I said last Monday in my contribution on the Report of the Director-General, *The least developed countries: Crisis, structural transformation and the future of work*, workers first and foremost need to receive a genuine living wage for their work. We cannot accept that, after a long day's work, millions of workers – and not only in the least developed countries – bring home a wage that is not even sufficient to feed and provide shelter for themselves and their families. Providing parents with a living wage is also a key step towards reducing child labour – which is on the rise again for the first time in decades. I would add today that, unfortunately, there is a strong correlation between poor wages and poor working conditions and poor safety and health at work.

So, we hope to see this issue being addressed with concerted efforts by all the constituents, with the support of the Office, during the tenure of the next Director-General. The issue should receive the high priority it deserves, and – who knows – we may see a sixth fundamental right appearing on the horizon.

Mr Eheth Chairperson of the General Affairs Committee

I stand before you today, honoured to serve as the Chairperson of the General Affairs Committee, which was given the historic task by the Conference of including a safe and healthy working environment in the framework of the ILO's fundamental principles and rights at work, through an amendment to the 1998 ILO Declaration on Fundamental Principles and Rights at Work.

My predecessor, Ambassador Moher of Canada, who chaired the work of the Conference Committee that considered the draft Declaration in 1998, had the vision to declare at that plenary that the adoption of the Declaration by the Conference would be a reaffirmation of the principles that we hold dear and would have an impact on the whole world.

Some 24 years later, the Ambassador's words ring true. We can all see that the facts have proven him right.

The task of our Committee was simple, compared with the discussions held in 1998. Nevertheless, the symbolic significance of the 1998 Declaration, combined with the authority and impact it has today, were the drivers that inspired the constituents to prepare the draft resolution that is before the Conference for adoption today. They did so with great care, and with unwavering commitment and a high sense of their responsibility in relation to the achievement of the objectives of our Organization.

The Reporter of the Committee has provided a detailed account of the results of our work. I will therefore focus on the human and practical dimensions of the draft resolution, which includes an amendment to the 1998 Declaration, and the designation of two new fundamental Conventions – Convention No. 155 and Convention No. 187.

The recognition of the new fundamental principle and right to a safe and healthy working environment reflects the importance of occupational safety and health in ensuring decent work, which has become even more evident to all of us, as millions of workers continue to die

each year from work-related accidents and diseases and hundreds of millions of workers suffer from work-related illnesses.

(The speaker continues in French.)

Since the adoption of the 1998 Declaration, the world of work has undergone profound changes. Rapid technological change, digitization, new ways of working and the perpetual threat of climate change and environmental degradation have all had a profound impact on the world of work, posing new risks to the health and safety of workers. The COVID-19 pandemic has exacerbated this dynamic, making the need to safeguard the safety and health of workers all the more urgent.

As one Government member of the Committee rightly emphasized, health and safety directly affect the dignity and integrity of all workers and it is the responsibility of all ILO constituents to make these issues a fundamental part of the future and credibility of the ILO and, thus, of the world of work.

The Conference knows well that the Declaration, in addition to its institutional mandate, has a critical practical dimension. The Declaration enshrines the obligation of the ILO to support all of its Members by offering either technical cooperation to promote the ratification and implementation of the two new fundamental Conventions, or assistance in their efforts to realize the new principle and fundamental right to work when they are not in a position to ratify the fundamental Conventions.

The needs of countries are undeniable.

The achievement of a safe and healthy working environment is – beyond being a human right – also a question of prevention, of national policy as well as social dialogue between the competent public authorities, employers' organizations and workers' organizations. In short, more than any other principle and fundamental right, the fifth principle requires robust labour institutions at the national just as at the enterprise level.

I will conclude by thanking the two Vice-Chairpersons of the General Affairs Committee, Ms Hornung-Draus and Ms Passchier. I should like to pay tribute to their technical and institutional expertise and the skill with which they have conducted the social dialogue within our Committee. They are truly impressive.

I also thank the Government members of the Committee who spoke on behalf of their regional groups, as well as those who represented their own countries, for their active involvement and constructive contributions throughout the process.

The success of the work of our Committee depends to a great extent on the commitment of the tripartite constituents of the ILO to the values of our Organization, combined with their daily experience of the world of work.

Lastly, my thanks go to the entire Secretariat for their tireless efforts under the able leadership of Ms Martha Newton, representative of the Secretary-General, without forgetting the interpreters, technicians and numerous other "invisible" colleagues whose efforts have allowed us to bring our discussions to a successful conclusion.

By adopting the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, the ILO will demonstrate once again that multilateralism is not just about noble sentiments and declarations of principle, but also about deep convictions and specific actions motivated by a sense of duty in the service of social justice.

The President

I thank the Reporter and the Officers of the Committee for their statements. I now open the floor for the discussion of the proposed resolution

Mr Cisse

Government (Senegal), speaking on behalf of the Africa group
(Original French)

In accordance with its mandate for social justice and decent work, the ILO has once again laid the groundwork for a historic and pioneering act with the recognition of a safe and healthy workplace as a fundamental principle and right at work.

The Africa group welcomes this significant advance, which is the result of consensus between the tripartite constituents and will, without doubt, contribute to raising the profile of the ILO and furthering the achievement of the Decent Work Agenda.

The Africa group is all the more proud of this result as, from the outset of the consultations on this question, it has defended its choice of the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as fundamental Conventions.

This, then, is the moment to commend the quality and richness of the documentation provided by the Office, which has dispelled the fears expressed by various constituents.

We also welcome the fruitful cooperation between the Africa group and the governments of other regions to align our respective positions on the various amendments to the 1998 Declaration on Fundamental Principles and Rights at Work.

Lastly, we must underscore the invaluable contribution of the Workers' and Employers' groups, whose spokespersons, with their spirit of openness and flexibility, have allowed us to transcend divisions and divergences.

In conclusion, the Africa group invites Member States to take ownership of the resolution that has been adopted and make every effort to develop coherent policies with realistic programmes of action on safety and health at work.

Occupational hazard prevention and the promotion of a safety culture must be at the centre of our social policies, since without a safe and healthy working environment, decent work will be nothing but an illusion.

Ms Durbin

Government (Australia), speaking on behalf of the Asia and Pacific group

The Asia and Pacific group (ASPAG) welcomes the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work.

ASPAG thanks the General Affairs Committee for its work on this important resolution, and the Office for its support throughout the process.

Occupational safety and health is central to the ILO's mandate and its recognition in the framework of fundamental principles and rights at work affords it the status it deserves.

As with the existing four fundamental principles and rights, ASPAG hopes that the elevation of occupational safety and health to the framework of fundamental principles and

rights will enliven ILO constituents to focus their efforts on improving occupational safety and health outcomes worldwide.

ASPAG welcomes the inclusion of two Conventions as fundamental to provide further guidance and further embed occupational safety and health in the ILO and its supervisory system.

The human and economic costs of unsafe working practices and environments are unacceptable and are felt deeply throughout the world every day. This critical resolution reaffirms our commitment to creating safe and healthy workplaces for workers and employers alike, to improve productivity and, most importantly, to preserve human life and well-being.

This is a momentous occasion in the ILO's history and ASPAG applauds the adoption of this landmark resolution.

Ms Karvar

Government (France), speaking on behalf of the European Union and its Member States (Original French)

It is my great pleasure to be making this statement on behalf of the European Union and its Member States. Iceland and Norway, European Free Trade Association countries and members of the European Economic Area, as well as Georgia and Ukraine, align themselves with this statement.

Over recent years, we have worked together to prepare for this historic moment of including occupational safety and health in the ILO's framework of fundamental principles and rights at work. Thanks to these joint efforts, long discussions and readiness to compromise, today, in the plenary of the 110th Session of the International Labour Conference, we are ready to adopt the resolution amending the 1998 Declaration on Fundamental Principles and Rights to Work.

The resolution before us introduces a new fundamental right that is clear, understandable by the public worldwide, and stands firmly on the basis of two new fundamental Conventions, which outline clearly the basic rights related to occupational safety and health.

Considering that nearly 3 million people die from work-related causes each year and that there is a significant loss of production through missed working days, the recognition that safety and health at work are fundamental to decent work was more than timely in 2019, with the adoption of the ILO Centenary Declaration for the Future of Work. Since then, the COVID-19 pandemic has further underscored the absolute importance of occupational health and safety for workers' well-being.

For the European Union and its Member States, a safe and healthy working environment represents an essential building block of a human-centred response and should be an integral component of any long-term recovery plan.

In this regard, we are very satisfied that today we are taking the decision to designate the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as fundamental Conventions. As the European Union and its Member States have indicated, in our view, these two Conventions together set out, in a complementary way, the basic rights to occupational safety and health at both the national and the workplace levels.

We are also grateful that the terminology selected in the resolution is one that is broadly recognized at the international level, both within the ILO and beyond, and echoes the language used in the soon-to-be fundamental Conventions.

As regards the preambular paragraph on shared responsibilities, we are glad that consensual language could be found which makes a distinction between the roles and responsibilities of governments, employers and workers, and notes the importance of social dialogue in guaranteeing and strengthening occupational safety and health.

Lastly, while we do not consider the saving clause to be necessary, we are glad to support the compromise solution found to assuage outstanding concerns regarding any unintended consequences on trade and investment agreements.

These important discussions were able to achieve such a historic success only because they were well-prepared, ably facilitated and met with the constructive attitude of all the Governments and the social partners. On behalf of the European Union and its Member States, allow me to thank all the Governments and the social partners for their constructive and collegial attitude and for their excellent cooperation. I would like to extend our special thanks to the Africa group for the close cooperation in the Committee. We also extend our gratitude to the Office, which has, over the past few years, continuously and relentlessly supported our discussions with in-depth analysis and extensive clarifications.

Together, we have reached a major milestone towards a safer and healthier working environment and dignity at work for all, declaring beyond a shadow of a doubt that safety and health at work is not a luxury, but a fundamental right for all workers. While we rejoice in celebrating this milestone, there is no time for complacency – we must come together and redouble our efforts to ensure that a safe and healthy working environment becomes a reality for all workers.

Ms Barbou des Places

Government (Sweden), speaking on behalf of the Nordic countries

I speak on behalf of the Nordic governments of Denmark, Finland, Iceland, Norway and Sweden. We support the statement of the European Union and its Member States.

At the adoption of the ILO Declaration on Fundamental Principles and Rights at Work in 1998, the Government delegate of Sweden intended to deliver a well-prepared, thought-provoking speech. But as it was getting late, the debate had been going on for a few hours and everyone was tired, he took the wise decision to throw away his speech and instead quoted Nelson Mandela, saying “Let us walk the last mile together”.

We have walked this last mile together during these two weeks, and during the three years since the ILO Centenary Declaration for the Future of Work was adopted, with the objective of making the world of work safer. We are all aware of the human cost of a non-functioning working environment. Approximately 3 million lives are lost each year as a result of occupational accidents and work-related diseases; these are lives that can never be replaced. In addition, close to 400 million workers suffer each year from non-fatal occupational accidents. This is an unacceptable human cost.

We all know that these deaths, injuries and diseases can be prevented. The recent pandemic, the knowledge of violence and harassment at work and employees struggling with mental health problems show that it is timely to step up and make safety and health at work a fundamental right. The topic was recognized by the founders of the ILO, who put the working

environment high on the agenda, and by the delegates to the first International Labour Conference, who, in 1919, extensively discussed the issue of safety and health at work.

It was also recognized by the Global Commission on the Future of Work in its report, *Work for a brighter future*, in which the Commission said that “it is time for safety and health at work to be recognized as a fundamental principle and right at work”. We need to recognize the great responsibility this decision entails, both for the International Labour Office and for us as constituents as we undertake to do a great deal of work.

This historic moment can, and hopefully will, give further impetus to other concrete and useful ILO tripartite action in the field of occupational safety and health such as, for example, the Global Coalition for Safety and Health at Work.

The Nordic countries hope that the adoption of this resolution and the inclusion of a safe and healthy working environment in the ILO’s framework of fundamental principles and rights at work will call on governments and the social partners to put the question of safety and health higher on the agenda. We hope that it will spur ratification of health and safety Conventions in general and the designated fundamental Conventions in particular. We hope that it will reduce the number of occupational accidents and work-related diseases. We hope that governments, workers and employers, through social dialogue and concerted action, can reduce the human cost at work.

This is an historic decision. We want to thank all constituents for the discussions and deliberations which have brought us here. Special thanks go to the Chairperson of the Committee, Ambassador Salomon Eheth, and the two Vice-Chairpersons, Renate Hornung-Draus and Catelene Passchier. We would also like to thank our colleagues from all Government groups.

Mr Nujoma

Minister of Labour, Industrial Relations and Employment Creation (Namibia)

I thank the Chairperson for giving me the floor to speak on behalf of the Government of Namibia in support of the resolution on the inclusion of a safe and healthy working environment in the ILO’s framework of fundamental principles and rights at work.

I take this opportunity to congratulate and commend the tripartite General Affairs Committee for reaching consensus to include a safe and healthy working environment in the ILO’s framework of fundamental principles and rights at work, and to declare the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as fundamental Conventions within the meaning of the ILO Declaration on Fundamental Principles and Rights at Work (1998).

The inclusion of the obligation of all Member States to promote a safe and healthy working environment as a fundamental principle and right at work comes at the right time for Namibia, as Namibia is currently developing its Occupational Safety and Health Bill, with the assistance of the ILO, and is working towards the ratification of Conventions Nos 155 and 187. Namibia is fully committed to realizing the principles and rights contained in these Conventions.

We also bring to the attention of this Conference that COVID-19 did not spare the working environment of Namibia. The pandemic has had a profound impact on the physical, mental and psycho-social well-being of Namibian workers, particularly those in the health sector. Namibia therefore appreciates the necessity of ensuring a safe and healthy working

environment for all workers in all sectors and welcomes the inclusion of a safe and healthy working environment in the ILO Declaration on Fundamental Principles and Rights at Work, as it works to improve its national regulatory response.

Namibia applauds this historic achievement of the ILO.

Mr Dermagne
Deputy Minister of the Economy and Labour (Belgium)
(Original French)

Allow me to congratulate you, Mr Director-General.

Congratulations because today, thanks to your leadership, we can proclaim loud and clear that safety and health is recognized as being a fundamental principle and right. The ILO is writing a key chapter of its history.

I would also like to congratulate you on your foresight and determination. It was under your auspices that, in its report in the run-up to the ILO's Centenary, the Global Commission on the Future of Work invited the constituents to achieve this goal. Who would have thought that this would have become a reality so soon? You did it! You have strengthened the legitimacy of the Organization. On behalf of Belgium, we can only thank you.

The ILO Declaration on Fundamental Principles and Rights at Work, 1998, which will now be extended, was adopted during the term of office of Michel Hansenne, a renowned fellow Belgian, who was at that time the Director-General. The decision we are taking now represents a continuation of the commitment undertaken by Belgium to the implementation of ILO standards.

The text we are adopting today shows the relevance and the added value of the ILO in the way it responds to the challenges and needs of the world of work.

At the start of this session, Belgium raised two questions relating to the world of work environment. What is more fundamental than occupational safety and health? What is more fundamental than not dying at work? The resolution we are adopting today answers these questions. Nothing is more fundamental!

Ms Lee
Government (United States of America)

The United States applauds the ILO for recognizing the right to a safe and healthy working environment as a fundamental principle and right at work. This will have tremendous benefits for the millions of workers who face dangerous or unhealthy working conditions. This important milestone will reaffirm the human right of workers to a safe and healthy workplace, and help ensure that workers who speak up do not risk losing their jobs. It will also strengthen the ability of unions, civil society organizations and government institutions to ensure safety and health at work.

The ILO Declaration on Fundamental Principles and Rights at Work established an international consensus on the core body of labour rights in four categories: freedom of association and collective bargaining; the elimination of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. By virtue of their membership in the ILO, every Member State has made a commitment to respect, promote and realize all of these rights.

Today, these core rights now include a safe and healthy working environment. After the experience of a global pandemic, we all know that the right to a safe workplace is often a matter of life or death. The United States is delighted to contribute to this momentous decision. We are honoured to join you in taking significant steps towards a world in which everyone can work safely and with dignity.

We would like to offer our thanks to the Director-General, Guy Ryder; the Deputy Director-General, Martha Newton; the Chairperson; our fellow Government members; and the social partners, for their sincere and collaborative efforts to adopt this important resolution.

Ms Thornton Government (Canada)

On behalf of the Government of Canada, I would like to express our profound gratitude to the Chairperson, Vice-Chairpersons and all participants of the General Affairs Committee for their commitment and dedication to recognizing a safe and healthy environment as a fundamental principle and right at work. Many thanks as well to the Office for all of the preparatory work and support. Through open tripartite dialogue, we were able to achieve this historic task.

Canada has been actively engaged in and strongly supportive of the inclusion of a safe and healthy environment in the ILO's framework of fundamental principles and rights at work. Recognizing the critical importance of occupational safety and health in the world of work is, in our view, long overdue and especially timely in the context of the COVID-19 pandemic.

Canada was proud to chair the Committee on the Declaration of Principles at the 86th Session of the International Labour Conference, which took place 24 years ago, where the Declaration of Principles of the ILO concerning fundamental rights and its appropriate follow-up mechanisms were discussed and adopted.

We are very honoured and humbled to have once again participated in these International Labour Conference discussions, which are at the very core of the Organization's mandate.

The Government of Canada believes that every worker has the right to a healthy and safe workplace, and we are deeply committed to making workplaces safer, fairer and healthier.

By including a safe and healthy working environment in the fundamental principles and rights at work framework, we can now better protect the physical and mental health of workers by making it clear that together with the other four categories, these rights are universal, and they apply to all people in all ILO Member States.

The Government of Canada looks forward to working with workers, employers and all relevant partners to continue to "respect, promote and realize" all fundamental principles and rights at work.

Ms Corinto Government (Italy)

The Government of Italy supports the statement made on behalf of the European Union and its Member States. I would first like to thank the Director-General, Guy Ryder, for his excellent work during the whole of his mandate. I would also like to thank the Office, the Chairperson and Vice-Chairpersons, the delegates and all the tripartite colleagues in the General Affairs Committee, for all the work they carried out for the purpose of adopting the resolution on the inclusion of a safe and healthy working environment in the ILO's framework

of fundamental principles and rights at work, including the designation of the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as fundamental Conventions. Italy has always supported this relevant and historic result, and we certainly believe that we will contribute to the creation of a more dignified work environment for all workers and all actors in the world of work. Finally, I would like to say that, for the concrete and effective realization of safety and health in the world of work, "together" is the key word.

Mr Alobaidly
Government (Qatar)
(Original Arabic)

The Government of Qatar would like to express support for the statement made on behalf of the Asia and Pacific group. We support the adoption of this resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work. We would like to thank the representatives of the three constituent groups – Governments, Employers and Workers – for the constructive deliberations that made it possible to present this historic resolution to the Conference for adoption today. We would also like to thank all the members of the General Affairs Committee for their tireless efforts to crystallize this agreement and the Office for its continued support in facilitating the tripartite deliberations. Recognizing safety and health at work as a fifth category within the ILO's framework of fundamental principles and rights at work reflects the importance that the different constituent groups attach to promoting occupational safety and health and the ILO's commitment to assisting Member States in achieving safe and healthy workplaces and addressing related challenges. Qatar is convinced that providing a safe and healthy working environment is essential in order to achieve decent work, which will be of benefit both to people and to the economy, and will contribute to the achievement of sustainable and comprehensive economic growth.

Mr Recalde
Worker (Ecuador)
(Original Spanish)

I would like to thank the President on behalf of the Workers' group of Ecuador and on behalf of our Workers' delegate, Mr Miguel Ángel García.

We appreciate the work and the efforts of the Committee, as well as the teamwork at the International Labour Organization and at this session of the Conference to advance the inclusion of the right to occupational safety and health as a fundamental right.

The Government of Ecuador and the workers of Ecuador have been tirelessly pushing for the inclusion of both the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), in regulatory frameworks at the national and regional levels.

The synergy that exists between the well-being of workers and production quality, daily workload and the recognition of rights is inextricably linked to the development of technical elements and safe working conditions that can contribute to the achievement of decent work.

We welcome the efforts made to include fundamental instruments in the framework of fundamental rights, which has been one of the pillars of the Organization since its creation. We also welcome the efforts being made by Ecuador and its workers to ensure that these

Conventions are incorporated into the country's regulatory structure and constitutional and legal frameworks. The aim is to guarantee the protection and inclusion of all workers in a difficult global context that has affected some countries – such as ours – more than others, countries that are still making efforts to achieve equity and equality in respect of the conditions necessary to achieve the full enjoyment of workers' rights.

Ms Mugo
Employer (Kenya)

I commend the General Affairs Committee for the excellent work done towards the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work. This instrument will now be the fifth pillar of the ILO's framework of fundamental principles and rights at work. Occupational safety and health (OSH) is a key concern for employers. We see the instrument and investment in it as directly related to the capacity of employees to deliver on the job and enhance overall enterprise performance. OSH benefits us all and preserves lives and enhances employee well-being. The challenge facing us now is the implementation of this instrument. We therefore urge the ILO to increase the technical cooperation on the ground to support constituents in the realization of OSH. Employers are committed to working with governments and trade unions towards this objective. We all have a key contribution to make in enhancing OSH standards. Let me conclude by thanking our spokesperson, Ms Renate Hornung-Draus, for her fleet-footed negotiation skills, supported by our colleagues from the International Organisation of Employers and the Bureau for Employers' Activities. I also thank all other colleagues for the accommodations they made and the positive role they played towards the achievement and conclusion of this instrument. This helps us all to reach consensus and arrive at an instrument of which we can all be proud.

Ms Pujadas
Worker (Argentina)
(Original Spanish)

We came to this session of the Conference with two main expectations: to return to face-to-face meetings, even if only in a hybrid form, and to make occupational safety and health a fundamental principle and right.

The consensus built at this session of the Conference is the result of years of struggle, debate, dialogue and consultation.

We have a new fundamental principle and right at work, which is a victory for us all, and especially for the trade union movement.

Workers in the Americas have worked relentlessly and with the firm belief that occupational health is a fundamental human right.

This is reflected as a priority in the Development Platform of the Americas and the Trade Union Occupational Health Strategy for the Americas of the Trade Union Confederation of the Americas.

Some categories of workers remain particularly vulnerable to occupational safety and health risks, including migrants, domestic workers, workers in the informal economy and workers employed in new forms of work.

We use our voice to call for a comprehensive approach towards building a preventive occupational safety and health culture.

It is in everyone's interests to make occupational safety and health a priority.

To achieve this, it is essential to ensure effective tripartite social dialogue, collective bargaining, freedom of association and the strengthening of labour inspection.

We now have a moral duty to adopt this draft resolution.

To achieve a human-centred recovery, governments need to give priority to occupational safety and health policies to ensure a safe and healthy revival of employment and production.

As part of the implementation of recovery policies, a strong focus will need to be placed on providing safety and health training and education for workers and employers.

Ensuring institutionalized social dialogue, collective bargaining and freedom of association, and promoting universal protection systems, are the necessary foundations for rebuilding a society based on peace and social justice.

Today we have the opportunity to make history. Because, as stated by the Director-General, Mr Guy Ryder, we all agree that this is badly needed, because we will be saving lives.

Mr Beckett Employer (Canada)

I am a practising health and safety professional, and I have been assisting organizations in improving their health and safety cultures for the last 30 years or more. I have also had the privilege of participating in the development of this historic change to the ILO Declaration on Fundamental Principles and Rights at Work. Safety and health has always been a fundamental focus of the ILO through the tripartite involvement of the social partners. I have also had the honour of being an Employer spokesperson at numerous ILO sectoral meetings aimed at updating and writing various sectoral documents. The codes of practice for port workers and for the forestry, textiles and construction sectors are all better because of the tripartite process of the ILO and they are used by companies around the world.

An effective safety and health culture is not just about protecting workers. Good safety and health cultures do protect workers, but they also increase morale, increase production and increase profitability. Employers have always strongly supported the inclusion of occupational safety and health as a fundamental right. The purpose of amending the 1998 Declaration to include a safe and healthy working environment is intended to elevate this issue, and we, as employers, support this work. Indeed, employers invest billions of dollars every year in occupational health and safety. The Employers' group approached each of the elements in this discussion with an eye towards how best to advance the principles in a rational, thoughtful and effective way. We had concerns, which were taken into consideration, and I am very proud of the final revision and its components.

The designation of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the Occupational Safety and Health Convention, 1981 (No. 155) as fundamental Conventions, the recognition of shared responsibility for safety and health, the inclusion of a saving clause and the use of the term "working environment" have assisted in the creation of a well-worded and I believe strong document. However, the final proof of the success of this document depends on what happens next.

There is no doubt that Member States will look at this change and look at ratifying Conventions Nos 187 and 155, if they have not done so already. What I hope is that, as for the other fundamental rights listed in the 1998 Declaration, we do not only achieve the universal

ratification of these Conventions, but that a serious focus is placed on improving safety and health cultures in all workplaces in all countries. Congratulations go to all the social partners who have participated in this process.

Mr Guiro
Worker (Senegal)
(Original French)

I am pleased to take the floor at this historic moment for the world of work. The COVID-19 crisis has harshly and irrefutably demonstrated the importance of safety and health for all workers, without exception. Millions of workers, in many sectors – such as the food, transport and medical sectors – have and continue to put their own health at risk to protect the health of others and to prevent our economies and societies from being crippled.

It is important to reaffirm their rights, especially in my country, Senegal, and in the Africa region, where so many workers still lack the necessary protection, not only in the informal economy, but also in the formal economy.

I am pleased to be able to confirm that the Government of Senegal has already ratified the new fundamental Conventions and did so in March last year, in anticipation. These are the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). It has also ratified the Occupational Health Services Convention, 1985 (No. 161), which is a complementary Convention that is also very important for workers.

I would like to emphasize that this confirmation of political commitment must be replicated in other countries without delay. We now really need the ambition to achieve the universal ratification of these fundamental Conventions and avoid a situation whereby a few countries are able to distort competition to the detriment of the health and well-being of their workforce.

The real work is done on the ground, however, in a constructive and sincere social partnership. Trade unions in Senegal, in Africa and around the world, are ready to make a commitment to provide the necessary protection for workers in all sectors.

Mr De Meester
Employer (Belgium)

As Employers, we are very pleased with the outcome of the discussion on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work. Let there be no misunderstanding: as Employers, we have always said that occupational safety and health (OSH) is fundamental. Ensuring a safe and healthy working environment is essential. We just needed to be clear about the exact impact and consequences of our move of bringing that into the framework of fundamental principles and rights at work. By doing so, we demonstrate a commitment that is of the utmost importance for all workers and all workplaces, and also for me personally.

I have been part of all OSH-related discussions in this house over the past 20 years. This topic is one that I truly carry in my heart. God gave us 86,400 seconds a day, and one second can be enough to damage your health while working. So we need to foster a preventive approach and a culture of safety. These elements are key if we are to achieve lasting improvements in safety and health at work.

A safe and healthy working environment is a precondition to productive and sustainable enterprises. No worker will be able and willing to deliver his or her best work in a working environment that is not safe and healthy. No enterprise will be successful and sustainable in the long run if it cannot provide a safe and healthy working environment. No Member State can deliver on decent work, welfare, prosperity and equality for all if it cannot ensure a national system that fosters a preventive culture for all. We can and must congratulate ourselves, and all those that facilitated the discussion, for having reached consensus on this important topic.

I also sincerely hope that the ILO itself will demonstrate leadership and show exemplary behaviour when it comes to ensuring a safe and healthy working environment within its operations and during meetings, even if that means that we will no longer be able to use the facilities of the Palais des Nations and the ILO building because they do not meet the highest standards in safety and health. Again, it is key to practice what you preach. We, as the Employers' group, will continue to spread the message and will continue to train and support our members in respect of making a safe and healthy working environment for all a reality. Thank you all for this important leap forward.

Ms O'Neil
Worker (Australia)

It is an honour to speak today on behalf of Australian unions. The right to a safe and healthy working environment is a fundamental right and essential to decent work. The long overdue elevation of health and safety to a fundamental right comes at a critical time for workers in the world and in our region.

Every year, 1.1 million workers in the Asia and the Pacific region die from work-related causes. From work-related trauma to occupational disease, these shocking statistics are undoubtedly an underestimate of the impact of work on the health of workers throughout the region. The region too often shocks the world with the violent mass loss of lives at work, such as the deaths of 1,132 garment workers at Rana Plaza in Bangladesh within this last decade. Australia knows only too well the devastating impact of unsafe work practices. Every year in Australia, over 5,000 workers are killed at work or will die from diseases caused by their work.

Australia has been one of the world's highest per capita consumers of asbestos for most of the last century and we continue to suffer from increasing rates of asbestos-related disease. Asbestos is responsible for more than 200,000 deaths globally and is recognized as causing over half of all occupational cancers. We must ensure that workers are not exposed to this life-threatening substance. Today's decision, along with our work this coming week to try and list chrysotile asbestos in the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, will save millions of lives for generations to come.

While, globally, we are at a moment of reckoning when it comes to the importance of workers' health, we must also ensure that we broaden our understanding of health and safety and extend it beyond the physical aspect to also include our psychological, or mental, health. Workers today are demanding psychologically healthy and safe work. For too long, psychosocial risks have been ignored. These risks, which disproportionately impact women and girls, include work overload, as well as gender-based violence and sexual harassment. If we are truly going to achieve safe and decent work, then we must focus on prevention and ensure that workplaces are safe from every risk and that our mental health is afforded the same protection as our physical health.

The inclusion of the Occupational Safety and Health Convention, 1981 (No. 155), demands that governments implement policies that facilitate the representation of, and consultation with, workers and their unions when it comes to health and safety. Engagement with workers and their unions is critical to identifying and eliminating hazards at work. Convention No. 155 also enshrines the right of workers to remove themselves from immediate danger without repercussions. This right is essential, as millions of workers daily face an impossible choice between their health and safety and their ability to sustain an income for themselves and their families. The safest workplaces are organized and unionized.

Every worker deserves to be safe at work. Every worker's family should see them return home safely at the end of the day. To achieve this, we must breathe life into today's historic decision in every workplace in the world.

Mr Ahmed
Employer (Bangladesh)

Occupational safety and health (OSH) is not only a right, but a basic necessity for all individuals working in any enterprise. I congratulate the ILO and the social partners on their decision to categorically identify OSH as one of the fundamental principles and rights at work. Identifying this new pillar is only the beginning of a new journey. We all need to work together in a collaborative and cooperative manner and develop new partnerships. Each stakeholder should be proactive and take responsibility. I, as an Employer representative, make a full and meaningful commitment to strengthen OSH at all levels.

**Resolution on the inclusion of a safe and healthy working environment
in the ILO's framework of fundamental principles and rights at work:
Adoption**

The President

We shall now proceed with the adoption of the proposed resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, the text of which is contained in *Record of Proceedings* No. 1C.

If there are no objections, may I take it that the Conference adopts the proposed resolution?

(The resolution is adopted.)

On behalf of the Conference, I wish to express our sincere gratitude to the members of the Committee and to the Secretariat. Congratulations on this important outcome, which marks a new page in our Organization's history and mandate. The Conference as a whole thanks you for your commitment and efforts to bring the Committee's work to a successful outcome.

(The Conference continues its work in plenary.)