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► Fundamental principles and rights at work at a critical crossroads

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► **Fundamental principles and rights at work at a critical crossroads**

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, as amended in 2022

Fifth item on the agenda



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► Introduction

1. The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up was adopted by the International Labour Conference in 1998 (1998 Declaration) following the call by the 1995 World Summit for Social Development in Copenhagen to safeguard and promote “basic workers’ rights” in order to achieve sustained economic growth and sustainable development. The 1998 Declaration, amended in 2022,¹ makes clear that all ILO Members have an obligation, arising from their membership of the ILO, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the fundamental principles that are the subject of the fundamental Conventions and other instruments.² It also recognizes the obligation of the ILO to assist Members to do so.³
2. The ILO Declaration on Social Justice for a Fair Globalization (Social Justice Declaration) (adopted in 2008, updated in 2022) subsequently set out four equally important strategic objectives, namely: promoting employment; developing and enhancing measures of social protection; promoting social dialogue; and respecting, promoting and realizing the fundamental principles and rights at work (FPRW). The follow-up to the Social Justice Declaration provides for a recurrent discussion by the International Labour Conference to ensure that the ILO can better understand the diverse realities and needs of Member States with respect to each of the strategic objectives. The recurrent discussion also assesses the results of the ILO’s activities concerning these objectives, with a view to informing ILO strategic planning, programming and budget discussions.⁴
3. The last recurrent discussion on FPRW took place in 2017,⁵ following which the Governing Body adopted a plan of action for the period 2017–23. The plan of action included three main components: focusing on the realization of FPRW at the national level; mobilizing ILO means of action; and strengthening partnerships at the global, regional and national levels to promote FPRW.⁶ It also sets out strategic priorities around the promotion of FPRW in rural and informal economies, enterprises and supply chains, and in situations of crisis and fragility.⁷ This report

¹ The amendment included a safe and healthy working environment as a fifth category of FPRW and established as fundamental Conventions the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). ILO, [Resolution on the inclusion of a safe and healthy working environment in the ILO’s framework of fundamental principles and rights at work](#), ILC.110/Resolution I, 2022.

² The fundamental Conventions are: the Forced Labour Convention, 1930 (No. 29); the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Abolition of Forced Labour Convention, 1957 (No. 105); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Minimum Age Convention, 1973 (No. 138); the Occupational Safety and Health Convention, 1981 (No. 155); the Worst Forms of Child Labour Convention, 1999 (No. 182); and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). The Protocol of 2014 to the Forced Labour Convention, 1930 (the Protocol of 2014), constitutes the 11th fundamental instrument.

³ The corresponding wider obligation of the ILO to assist its Members in their efforts to implement the overall Decent Work Agenda is underlined in the [Social Justice Declaration](#).

⁴ ILO, [Resolution on Advancing Social Justice through Decent Work](#), International Labour Conference, 105th Session 2016, para. 15.2.

⁵ ILO, [Resolution and conclusions concerning the second recurrent discussion on fundamental principles and rights at work](#), International Labour Conference, 106th Session, 2017.

⁶ ILO, [Matters arising out of the work of the 106th Session \(2017\) of the International Labour Conference – Follow-up to the resolution concerning the second recurrent discussion on fundamental principles and rights at work](#), GB.331/INS/4/3(Rev.), 2017.

⁷ ILO, [Integrated Strategy on Fundamental Principles and Rights at Work 2017-2023](#), 2019.

reviews trends, challenges, and areas of progress in advancing FPRW globally since 2017 within the broad framework of the plan of action and with reference to the Integrated Strategy on Fundamental Principles and Rights at Work 2017–2023 (Integrated Strategy on FPRW) as a basis for assessing ILO action and determining future priorities.

4. As universal and inalienable human rights, FPRW have an essential role to play in creating a fair and equitable society, both as rights and as enabling conditions.⁸ In particular, the ILO has consistently emphasized the importance of FPRW in advancing the application of all international labour standards as a means of achieving the ILO's constitutional objectives.⁹ Freedom of association and the effective recognition of the right to collective bargaining are highlighted as especially important enabling rights. Moreover, effective application of FPRW is an important factor contributing towards the realization of multiple Sustainable Development Goals (SDGs), notably Goals 5 (Gender equality), 8 (Decent work and economic growth), 10 (Reduced inequalities), and 16 (Peace, justice and strong institutions).¹⁰
5. At the time of this recurrent discussion, FPRW are at a critical crossroads – they are at heightened risk, but also of renewed importance. The world of work has been buffeted by a series of severe headwinds over the last five years, with important implications for the advancement of fundamental principles and rights. The COVID-19 pandemic not only had a serious impact on public health, but also resulted in widespread loss of jobs and livelihoods across the world, reversing progress on poverty reduction and leading to an increase in informality.¹¹ Although the direct economic impacts of the COVID-19 pandemic have eased in most countries, multiple and overlapping economic and political crises, geopolitical tensions – including several major armed conflicts – and ongoing disruptions in supply chains have continued to constrain labour market recovery.¹² At the same time, a deterioration in the rule of law and in respect for civil liberties and human rights, and shrinking democratic space, have seriously undermined the realization of all FPRW in some countries. These global developments have combined with longer-term structural trends in the world of work – including persistent informality, the growing adverse impacts of climate change, and structural transformations in the organization of production and work – to create a complex and challenging environment for the effective exercise of all FPRW.
6. Although national experiences have varied, this challenging global landscape has contributed to stalled progress – and in some cases regression – in advancing FPRW across the world. Major implementation gaps have persisted – and, indeed, in many instances have widened – across all FPRW categories since the last recurrent item discussion. While, as described in Chapter 2 of this report, numerous important steps have been taken to advance FPRW at the national level, action has hitherto been insufficient in both scale and scope. Much more needs to be done at all levels – legal, policy and institutional – to reverse negative trends and advance FPRW.
7. Recent developments led by the ILO and within the wider multilateral system are providing initial momentum to accelerate advances in realizing FPRW. The inclusion of a safe and healthy working

⁸ FPRW are also recognized as human rights in other sources of international law, including in the Universal Declaration of Human Rights and in several core UN human rights treaties.

⁹ ILO, Social Justice Declaration.

¹⁰ United Nations (UN) General Assembly, resolution 70/1, [Transforming our World: The 2030 Agenda for Sustainable Development](#), A/RES/70/1 (2015).

¹¹ Although workers in the informal economy were disproportionately affected by jobs losses at the height of the pandemic (ILO, “[ILO Monitor on the World of Work. Ninth edition](#)”, May 2022), since 2021 informal job growth has outpaced formal work, resulting in a slight increase in informality rates overall (ILO, “[ILO Monitor On The World Of Work. Tenth Edition: Multiple Crises Threaten The Global Labour Market Recovery](#)” October 2022).

¹² ILO, “ILO Monitor. Tenth edition”.

environment as the fifth fundamental right has reinvigorated broader efforts to advance FPRW and their mutually reinforcing nature. There is also growing support in the international community – including the G7, the G20 and the European Union – for the promotion of collective bargaining.¹³ Further, the adoption of the Violence and Harassment Convention, 2019 (No. 190), reaffirms the role of FPRW and clearly recognizes that the lack of full enjoyment of FPRW is among the root causes of violence and harassment. The 2022 Durban Call to Action on the Elimination of Child Labour provides a critical road map for global efforts against child labour, while also reaffirming the mutually reinforcing relationship between all five FPRW. A renewed emphasis on multilateralism to advance sustainable development, including, and especially in the context of, the Global Coalition for Social Justice, offers multiple opportunities to establish FPRW as both a goal and a driver of social and economic progress. For example, within the UN system, broad strategic frameworks, such as the 2030 Agenda for Sustainable Development (2030 Agenda), the SDGs and the UN Secretary-General's Call to Action for Human Rights,¹⁴ all include express reference to FPRW. The forthcoming UN Summit of the Future 2024 and the World Social Summit 2025 are also critical opportunities for highlighting the centrality of FPRW to the attainment of broader global development goals.

8. This report is structured as follows. Chapter 1 sets the scene by assessing key global developments and trends concerning FPRW over the seven years since the last recurrent discussion in 2017. Chapter 2 reviews efforts by constituents and the Office to advance FPRW on the ground during the seven-year reporting period. Chapter 3 discusses key priorities for revitalizing action on FPRW going forward.

¹³ ILO, *ILO integrated strategy for the promotion and implementation of the right to collective bargaining*, GB.349/POL/2, 2023, para. 4.

¹⁴ United Nations, *The Highest Aspiration: A Call to Action for Human Rights*, 2020.

► Chapter 1

Fundamental principles and rights at work: Situation and trends

9. This chapter provides a picture of the global context for the effective realization of FPRW. Section 1.1 assesses key political, economic and labour market macro trends and their implications for FPRW. Section 1.2 summarizes recent trends concerning each of the five categories of FPRW, with a principal focus on developments since the last recurrent discussion on FPRW in 2017.

1.1. An increasingly complex and unpredictable world: Implications for the realization of fundamental principles and rights at work

10. **The COVID-19 pandemic and the severe economic shockwaves accompanying it set back progress across all FPRW.** The pandemic not only had a serious impact on public health, but also resulted in widespread loss of jobs and livelihoods across the world of work, reversing gains in living standards. The pandemic affected FPRW in a myriad of ways. Workers with no income, little savings to fall back on and limited government support became more vulnerable to exploitative work situations, including various forms of forced labour, such as debt bondage. There was also an intensification of pre-existing discrimination with respect to employment and occupation. The pandemic was also associated with a rise in rates of gender-based violence and harassment at work and beyond, including domestic violence, in part due to the rise in remote working arrangements that increased the exposure of victim-survivors. Job and income loss at the household level, coupled with the disruption of education systems, heightened the risk of child labour. Trade unions expressed concerns that in some cases COVID-19 was used to fast-track legislation restricting freedom of association and collective bargaining (FACB) rights in the context of wider restrictions on civil and political rights.¹⁵ The pandemic had particularly serious implications for a safe and healthy working environment, with governments, employers and workers facing unprecedented challenges in protecting workers' health while maintaining essential operations.
11. **The lingering effects of the COVID-19 pandemic, combined with multiple and overlapping economic and political crises, have meant a continued challenging environment for FPRW advancement.** The resulting and ongoing shortage of decent work opportunities has pushed more workers into jobs of poorer quality and left a growing number of workers without access to adequate social and legal protection.¹⁶ Continuing elevated inflationary pressures are placing downward pressure on real wages and the purchasing power of other forms of labour incomes, with a disproportionate adverse impact on poorer households. High interest rates and a general tightening of financial conditions are increasing the risk of debt distress, particularly in highly indebted developing countries, with significant repercussions for their labour market conditions, wage growth and jobs.¹⁷ In many countries, governments are responding to the economic

¹⁵ European Trade Union Confederation (ETUC), *Trade Union Rights and COVID-19*, COVID-19 WATCH, ETUC Briefing Notes, 2020.

¹⁶ ILO, *World Employment and Social Outlook: Trends 2023*, 2023, 12.

¹⁷ ILO, *World Employment and Social Outlook: Trends 2024*, 2024.

circumstances with a move toward fiscal consolidation and austerity, hampering the post-pandemic economic and social recovery and introducing new threats to FPRW advancement.

12. **Armed conflicts and situations of wider insecurity and fragility are growing in number across the world.** In 2022, fragile contexts accounted for a quarter (23 per cent) of the world's population and for three quarters (73 per cent) of people living in extreme poverty worldwide.¹⁸ At the end of the same year, more than 108 million people had been forcibly displaced by conflict, persecution and other crises, a figure that has increased steadily over the past five years.¹⁹ Situations of crisis and fragility can have staggering economic costs, and it is evident that there is a "vicious cycle" linking them with unemployment, non-contractual and unregistered work, other decent work deficits, and, ultimately, FPRW violations.²⁰ Unemployment and decent work deficits can also themselves be important contributors to situations of conflict and fragility, through creating or exacerbating the social tensions and grievances that often underpin such situations.
13. **Situations of crisis and fragility are impacting FPRW through numerous channels.** In many affected countries, armed conflict and the breakdown in the rule of law, for example, have undermined the basis for the exercise of FACB, as well as other civil and political rights.²¹ Crises disproportionately affect already marginalized populations, such as those facing discrimination on the basis of race, ethnicity, religion, social origin, national extraction or other grounds. Most intra-state conflicts are linked to exclusion and discrimination involving minorities.²² When families lose their source of income due to the destruction of livelihood assets, they are more likely to resort to child labour as a survival strategy. Situations of armed conflict can also result in children being recruited or associated with armed forces and armed groups. Population displacements associated with many large-scale crises raise the risk of trafficking for the purpose of forced labour. The broader shift to informality accompanying many crises has direct implications for the occupational safety and health (OSH) of affected workers. Large-scale post-crisis rebuilding efforts can also lead to workers' exposure to serious OSH risks.
14. **A wider deterioration in the rule of law, democratic space, and respect for civil liberties and human rights has seriously undermined the realization of all FPRW in some countries.** In 2023, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) noted with concern the increasing disparities among ILO Member States in relation to respect for civil liberties, fundamental rights and the rule of law, and the adverse impact on the effective application of FPRW.²³ The rise of nationalist and more authoritarian regimes in some countries has led to a tightening of the democratic space and restrictions on the civil liberties that underpin FPRW, and the effective exercise of FACB rights in particular.²⁴ The Committee on Freedom of Association (CFA) has consistently affirmed the critical importance of civil liberties, a system of

¹⁸ Organisation for Economic Co-operation and Development (OECD), *States of Fragility 2022*, 2022.

¹⁹ UN High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2022*, 2023. For comparison, there were an estimated 68.5 million people forcibly displaced at the end of 2017 (UNHCR, *Global Trends: Forced Displacement in 2017*, 2018).

²⁰ ILO, *Employment and decent work in the Humanitarian-Development-Peace Nexus*, 2021, 9.

²¹ International Trade Union Confederation (ITUC), *Freedom Report 2022: Unions Building Peace*, 2022; ILO, *Peace and Conflict Analysis: Guidance for ILO's programming in fragile and conflict-affected contexts*, 2021; ILO and UN Department of Political and Peacebuilding Affairs, *Sustaining peace through decent work and employment*, 2021, 9.

²² UN General Assembly, *Conflict prevention through the protection of the human rights of minorities: Report of the Special Rapporteur on minority issues, Fernand de Varennes*, A/HRC/49/46, 2022, as cited in, ILO, *Advancing social justice, Report of the Director-General*, ILC.111/I(A)(Rev.), 2023, 13.

²³ ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC.111/III(A), 2023, 51.

²⁴ ILO, *Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*, sixth edition, 2018, paras 68–71.

democracy, and respect for fundamental human rights as preconditions for the effective exercise of freedom of association (see section 2.2).²⁵

- 15. The persistence of informality continues to impede progress on FPRW.** According to ILO estimates, 58 per cent of global employment was informal in 2022 – 89 per cent of which was in low-income countries – indicating that over 2 billion workers were in jobs with little or no recognition of rights in law or practice.²⁶ Informality adversely affects FPRW through numerous channels. The lack of legal recognition and protection means workers and economic units in the informal economy are often unable to form or join legally recognized trade unions and employers' organizations. As a result, they are generally excluded from formal collective bargaining and have few opportunities to participate in social dialogue or otherwise exercise their collective voice. The high levels of socio-economic vulnerability and weak labour governance that characterize informal economic activity also heighten the risk of other FPRW deficits.²⁷ For example, the incidence of forced labour and child labour is notably higher in sectors where informality is high, including in agriculture, construction and domestic work.²⁸ Informality is also both a cause and consequence of discrimination in employment and occupation. Discrimination by gender, age, ethnicity or disability is often a factor in restricting access to formal employment,²⁹ while workers in the informal economy frequently face discrimination, stigma and harassment.³⁰ Finally, limited legal protection (and weak enforcement), as well as lack of access to training and equipment, mean OSH standards are typically poor in the informal and rural economies.³¹
- 16. Climate change is having a large and growing impact on the world of work, with important implications for the advancement of FPRW.** The combined effects of marginal changes in temperature, accompanying modifications of physical and biological systems, and more frequent and intense weather events, such as droughts and floods, are increasingly threatening livelihoods, health and labour productivity. Risks are especially pronounced for rural populations engaged in agriculture, which continues to provide livelihoods for an estimated 874 million people worldwide,³² including many of the most vulnerable population groups.³³ Other sectors characterized by informality and decent work deficits – and therefore especially susceptible to FPRW violations – are being further undermined by adverse climate impacts.³⁴ Climate change is

²⁵ ILO, *Compilation of decisions*, sixth edition, paras 68–71.

²⁶ ILOSTAT, Modelled estimates (November 2022).

²⁷ ILO and the UN Children's Fund (UNICEF), *The role of social protection in the elimination of child labour: Evidence review and policy implications*, 2022; ILO and UNICEF, *Child Labour: Global Estimates 2020, trends and the road forward*, 2021; ILO, International Organization for Migration (IOM) and Walk Free, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, 2022.

²⁸ ILO, *Women and Men in the Informal Economy; A Statistical Update*, 2023, 25.

²⁹ For example, ILO, *Resolution and conclusions concerning decent work and the informal economy*, International Labour Conference, 90th Session, 2002, paras 19–20; ILO, *Transition from the Informal to the Formal Economy, Recommendation, 2015 (No. 204)*; ILO and OECD, *Tackling Vulnerability in the Informal Economy*, 2019, 29 and 141.

³⁰ ILO, "Promoting Equality and Addressing Discrimination", in *The Informal Economy and Decent Work: A Policy Resource Guide supporting transitions to formality*, 2013; Women in Informal Employment: Globalizing and Organizing (WIEGO), "Informal Workers and the Law", n.d.

³¹ For example: ILO, *Proposals and road map for the review of the Global Strategy on Occupational Safety and Health adopted at the 91st Session (2003) of the International Labour Conference and the promotion of a safe and healthy working environment as a new fundamental principle and right at work*, GB.347/INS/7, 2023.

³² ILO, *Working and employment conditions in the agriculture sector in Thailand: A survey of migrants working on Thai sugarcane, rubber, oil palm and maize farms*, 2021, ii.

³³ ILO, *Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future*, 2019, 19; ILO, *COVID-19 and the impact on agriculture and food security*, 2020, 1.

³⁴ ILO, *Addressing the impact of climate change on labour*, GB.329/POL/3, 2017; UNICEF, *Children Displaced in a Changing Climate: Preparing for a future already underway*, 2023.

also driving forced labour migration, which, in the absence of effective governance frameworks, can leave workers at heightened risk of abuse and exploitation.³⁵

17. **An increasing number of FPRW violations can be traced directly or indirectly to the impacts of climate change.** Climate change is increasingly recognized as a threat multiplier for child labour, particularly in the agriculture sector.³⁶ Exposure to climate-related weather shocks has been found to increase child labour as a family survival strategy to mitigate income loss.³⁷ Declines in agricultural productivity in some contexts are leading to the displacement of child labour from agriculture to other non-farm sectors, such as mining and manufacturing.³⁸ Climate change is also fuelling conflicts over scarce resources, and increasing the risk of the worst forms of child labour, including involvement in armed conflict and child trafficking.³⁹ Climate change also poses a particular threat to OSH.⁴⁰ Heat stress is an increasing risk in certain regions and is likely to affect disproportionately workers in developing countries with inadequate OSH protection systems. Globally, the increase of heat stress could lead to a 2.2 per cent productivity loss, equivalent to 80 million full-time jobs.⁴¹ Other OSH risks which are increasing with climate change include hazards related to extreme weather events, insect-borne diseases (such as malaria), dust exposure and wildfires.⁴²
18. **Climate change mitigation and adaptation measures also have important – but insufficiently understood – implications for FPRW.** In agriculture, programmes to encourage climate-smart agricultural practices that increase productivity in the face of a changing climate can also have the unintended consequence of raising demand for child labour if this risk is not accounted for in programme design.⁴³ The transition to a circular economy is already having an impact on jobs in hazardous sectors related to maintenance and repair, disassembly and recycling, which – without adequate regulation – could have a negative impact on workers' safety and health.⁴⁴ A just transition requires policy coherence between climate action and efforts to advance FPRW. This means, above all, that climate action should be structured in a way that advances FPRW and does not instead result in unintended negative consequences for realization; it is equally important for FPRW to support and not to undermine a just transition (such as supporting the rapid phase out of fossil fuel, notably coal, and restructuring the economy).
19. **Ongoing structural transformations in the organization of production and work are having important implications for FPRW.** Although not new phenomena, there has been a steady increase in the prevalence of temporary employment, part-time and on-call work, and work on or

³⁵ ILO, *Human mobility and labour migration related to climate change in a just transition towards environmentally sustainable economies and societies for all*, 2022.

³⁶ ILO, *Issue paper on child labour and climate change*, 2023.

³⁷ ILO, *Vulnerabilities to Child Labour*, 2022, 2.

³⁸ Lisa Myers and Laura Theytaz-Bergman, *Child Labour Report 2017: The Neglected Link, Effects of Climate Change and Environmental Degradation on Child Labour*, 2017.

³⁹ Beth Njeri Njiru, "Climate Change, Resource Competition, and Conflict amongst Pastoral Communities in Kenya", in *Climate Change, Human Security and Violent Conflict*, eds Jürgen Scheffran et. al., 2012, 513–527; Michał Burzyński et al., "Climate Change, Inequality, and Human Migration", in *Journal of the European Economic Association* 20, No. 3, (2022): 1145–1197.

⁴⁰ ILO, GB.347/INS/7, para. 11.

⁴¹ ILO, *Working on a warmer planet: The impact of heat stress on labour productivity and decent work*, 2019, 13. By 2030 an estimated 2.2 per cent of global working hours could be lost to heat stress, mostly in agriculture and construction. ILO, *World Employment and Social Outlook: Trends 2023*, 27.

⁴² ILO, *Vulnerabilities to Child Labour*, 4.

⁴³ Food and Agriculture Organization of the United Nations (FAO), *How can agricultural policies and strategies help to end child labour in agriculture?*, 2020.

⁴⁴ European Agency for Safety and Health at Work, "Circular economy and its effects on OSH", n.d.

through digital platforms in recent years, while the COVID-19 pandemic resulted in the rapid expansion of home-based work, including telework.⁴⁵ While these various emerging forms of employment can offer new opportunities and bring benefits to workers and enterprises, they can also exacerbate decent work deficits and pose challenges to the realization of workers' fundamental labour rights.

20. There has been a steady increase in work on or through digital platforms in recent years.⁴⁶

Platform work can fuel job creation and expand employment options for groups who otherwise face barriers to accessing the labour market, such as women in vulnerable situations, young people, people with disabilities and migrants. But platform work in many contexts is also associated with heightened informality, low and insecure wages, exposure to poor OSH conditions, an absence of labour and social protections, difficulties in exercising FACB rights and discrimination.⁴⁷ While the fundamental Conventions apply to *all* workers, many national legal frameworks guarantee these rights only in the context of an employer–employee relationship. This effectively excludes most digital platform workers, because they are typically categorized as self-employed, regardless of the actual nature of their relationship with the platforms.⁴⁸ Algorithms, which are integral to the way in which labour platforms operate, offer the potential for more neutral outcomes, provided that deliberate efforts are made to eliminate biases that are inherent in most data available today for artificial intelligence (AI) training and to test the results of these efforts in a specific work context prior to live deployment of new systems.⁴⁹

21. The digitalization of work, driven by advancements in AI, such as machine learning and large language models, carries significant implications for FPRW. AI has the capacity to transform jobs by automating tasks, which could lead to either job displacement or a transformation of job roles. Recent ILO studies suggest that, while the potential for complete job loss exists, the broader potential for job transformation is more significant.⁵⁰ The integration of AI into the workplace could profoundly influence working conditions, autonomy, the pace and intensity of work, skill utilization, and workers' interactions with management and peers. The extent of these impacts largely depends on how the technology is designed and applied. AI can potentially lead to increased surveillance and restricted worker discretion, thereby degrading job quality. However, involving workers in AI design, with ample scope for feedback and iteration, can enhance job satisfaction and elevate performance. The deployment of AI at the workplace, therefore, should not proceed without considered dialogue, informed policy guidance and robust regulation.

⁴⁵ See, for example, analysis of global trends in ILO, *Leaving no one behind: Building inclusive labour protection in an evolving world of work*, ILC.111/V(Rev.), 2023, part 1.2; and ILO and the World Health Organization (WHO), *Healthy and Safe Telework – Technical Brief*, 2021.

⁴⁶ While it is difficult to estimate accurately the number of workers involved in digital platforms, estimates from the ILO indicate a substantial increase in the number of platforms connecting businesses and clients to workers, rising from 193 in 2010 to 1,070 in 2023. Rani et al. (forthcoming), based on Crunchbase database.

⁴⁷ Felix Hadwiger, *Realizing the opportunities of the platform economy through freedom of association and collective bargaining*, ILO Working Paper 80, 2022.

⁴⁸ ILO, *World Employment and Social Outlook: Trends 2021*, 2021.

⁴⁹ Paweł Gmyrek, Christoph Lutz and Gemma Newlands, *A Technological Construction of Society: Comparing GPT-4 and Human Respondents for Occupational Evaluation in the UK*, ILO Working Paper 102, 2024.

⁵⁰ Paweł Gmyrek, Janine Berg and David Bescond, *Generative AI and jobs: A global analysis of potential effects on job quantity and quality*, ILO Working Paper 96, 2023.

- 22. A number of important trends are affecting the shape of supply chains and the conditions of work within them.**⁵¹ These include: (i) climate change and broader sustainability concerns, including the carbon footprint of supply chains and global trade, the effects of climate change on specific countries and sectors, and calls for a “circular economy”; (ii) supply chain diversification as a risk containment strategy, including the development of regional supply chains, as well as localization and nearshoring; (iii) the digitalization and automation of production and services, sometimes accompanied by upskilling, and potentially bringing significant disruption to employment in labour-intensive sectors and supply sectors amenable to automation; and (iv) growth in services and “servicification” of product supply chains. The increased shifting of end markets to the global South and the rise of emerging market multinational enterprises are also having important implications for existing structures and conceptions of governance of supply chains, particularly where consumption-market factors (such as consumer views, accountability to regulators and civil society, reputational drivers and intangible asset protection) have helped drive decent work. In March 2023, the Governing Body adopted a strategy for achieving decent work in supply chains, in which the respect, promotion and realization of FPRW are essential to the attainment of decent work in supply chains.

1.2. The status of the five fundamental principles and rights at work

1.2.1. Freedom of association and the effective recognition of the right to collective bargaining

- 23. Despite their critical role in the realization of the other labour rights, FACB rights remain significantly challenged across the world.** Estimates of compliance with FACB rights at the national level, as measured by SDG indicator 8.8.2, show persistent deficits in many countries and negligible improvement at the global level since 2017.⁵² Slow progress in advancing the global ratification rate for Conventions Nos 87 and 98 – 29 countries have not yet ratified Convention No. 87 and 19 countries have not ratified Convention No. 98 – is also indicative of challenges in advancing FACB rights globally.⁵³ Threats to trade union rights and civil liberties, protection against anti-union discrimination, the violation of collective bargaining rights, and protection against acts of interference were the topics most frequently examined by the CFA during the period since the last recurrent discussion.
- 24. The wider deterioration in respect for civil liberties in many countries is restricting the full exercise of freedom of association.** Since the last recurrent discussion, the ILO supervisory bodies have noted serious cases of violence against trade union officials in several countries,⁵⁴

⁵¹ Text in this paragraph is drawn principally from ILO, *Gap analysis of ILO normative and non-normative measures to ensure decent work in supply chains*, WGDWS/2021, 2021, 10–11.

⁵² Data from ILOSTAT. SDG indicator 8.8.2 is based on expert review of textual sources to assess the level of national compliance with FACB rights in law and in practice. However, the indicator is not suitable for detailed comparison across countries or regions due to different reporting requirements (and therefore different textual sources) of ratifying and non-ratifying Member States. ILO, *Methodology for SDG indicator 8.8.2 on labour rights*, ICLS/20/2018/Room document 1, 2018.

⁵³ This represents the highest number of non-ratifications of fundamental Conventions, with the exception of Conventions Nos 155 and 187 on a safe and healthy working environment.

⁵⁴ For example, recent cases before the CFA concerning Peru, Guatemala and Colombia. ILO, *403rd Report of the Committee on Freedom of Association*, GB.348/INS/4, 2023; ILO, *393rd Report of the Committee on Freedom of Association*, GB.341/INS/12/1, 2021.

including cases where authorities have failed to adequately investigate violations,⁵⁵ and cases of arbitrary arrest, detention and judicial harassment of union leaders and workers.⁵⁶ In many cases, these violations of FACB rights have taken place in the context of broader restrictions on civil liberties and systematic harassment of employers' and workers' organizations.⁵⁷ Other forms of anti-union discrimination, including inadequate legal protections and/or weak enforcement of labour laws in practice, have been similarly raised through the ILO supervisory bodies.⁵⁸

- 25. Restrictive laws and burdensome administrative procedures have also continued to limit the effective exercise of FACB rights in many countries.** Although some governments have taken notable steps to extend FACB rights to groups that were previously excluded,⁵⁹ important categories of workers – including agricultural workers, domestic workers, migrant workers, home-based workers and workers in the platform economy – often remain outside the scope of key FACB legislation.⁶⁰ Other categories of workers, such as workers in the agriculture, fishing or transport sectors, may be subject to sector-specific regulations that similarly restrict the full exercise of FACB rights.⁶¹ Further barriers include excessive delays in processing, or arbitrary denial of, trade union registration; insufficient legal protection against anti-union discrimination; and restrictions on collective bargaining, such as unduly high representativeness thresholds. Although the number of them continues to fall,⁶² the persistence of trade union monopolies, in law or in practice, remains a notable barrier to the full exercise of FACB rights in some countries.⁶³

Trends in membership of employers' and workers' organizations

- 26.** Although membership rates and related indicators, such as trade union density rates, are not direct measures of the enjoyment of FACB rights and should be interpreted with caution,⁶⁴ they nonetheless offer insight into how FACB rights are exercised in practice.
- 27. There has been little change in recent years in the density of employers' organizations⁶⁵ in the limited number of countries where data is available.**⁶⁶ Engagement with policymakers,

⁵⁵ For example, CEACR comments concerning lack of substantial progress in investigating recent killings of several trade unionists in the Philippines. ILO, ILC.111/III(A).

⁵⁶ See recent cases before the CFA, including the Bolivarian Republic of Venezuela. ILO, *397th Report of the Committee on Freedom of Association*, GB.344/INS/15/1, 2022.

⁵⁷ ILO, *CAN/PV.CCL.2*, 2022.

⁵⁸ For example, recent CFA cases concerning the dismissal of workers and trade union officials in Honduras, and CAS cases concerning Hungary and Malaysia. ILO, *Case No. 3383 (Honduras)*, 2022; ILO, *CAN/PV.CCL.2*; ILO, *CAN/PV.14*, 2022.

⁵⁹ For example, Jordan. ILO, *Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022*, GB.347/INS/3, 2023, para. 22.

⁶⁰ For specific examples, see: ILO, *Social Dialogue Report 2022: Collective bargaining for an inclusive, sustainable and resilient recovery*, 2022, 48–49. It is important to note that the ILO supervisory bodies have systematically noted that Conventions Nos 87 and 98 cover all employers and workers without establishing distinctions based on their contractual status.

⁶¹ See, for example, Case No. 3387 (Greece) before the CFA concerning legal restrictions on the scope of collective bargaining for transport workers. ILO, GB.344/INS/15/1.

⁶² For example, recent reforms under way in Iraq. ILO, ILC.111/III(A), 160.

⁶³ For example, the CEACR has highlighted legal restrictions that may result in trade union monopoly in countries including Bangladesh, Jordan and Sudan, while noting remaining concerns about the application in practice of Egypt's new Trade Union Law. ILO, ILC.111/III(A); ILO, *Application of International Labour Standards 2021*, ILC.109/III/Add.(A), 2021.

⁶⁴ For example, in contexts where membership in employers' or workers' organizations is mandatory, including in the context of trade union monopolies, the resulting high rates of membership do not necessarily correspond to the full and effective exercise of FACB rights in practice.

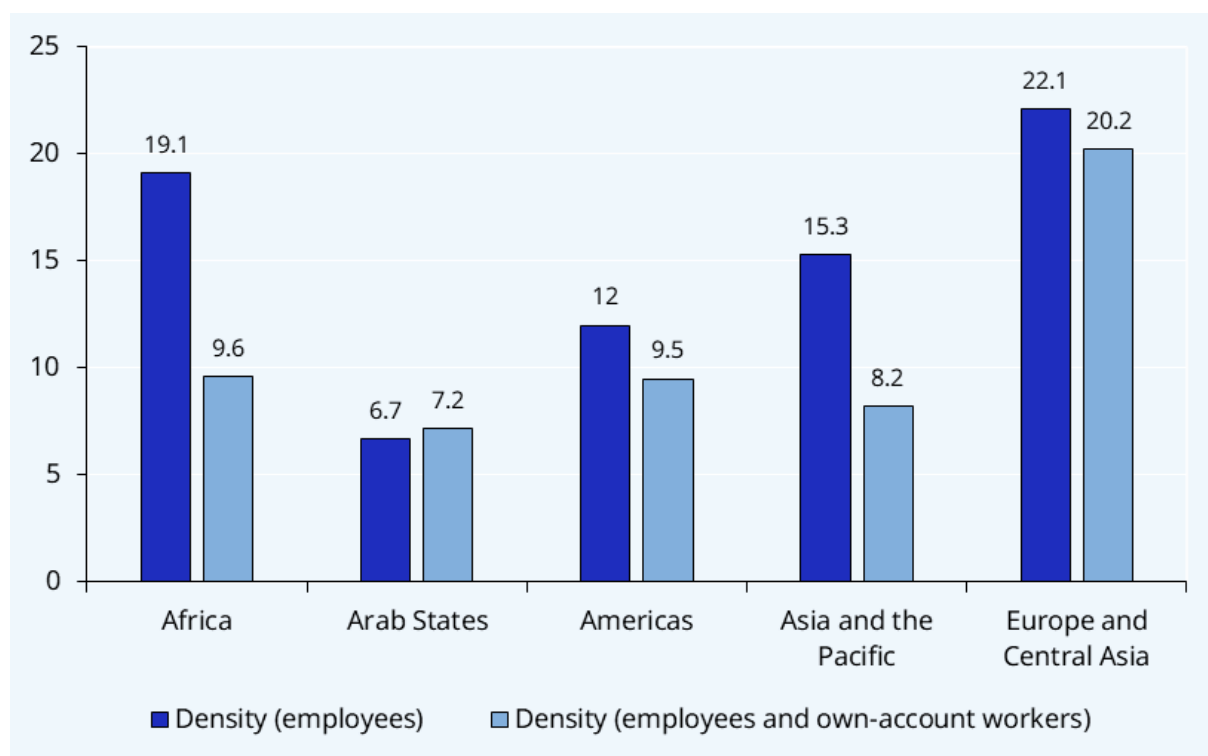
⁶⁵ The density of employers' organizations is measured as the number of employees in private sector firms who are members of an employers' organization as a proportion of all wage and salary earners in the private sector.

⁶⁶ ILO, *Social Dialogue Report 2022*, 109.

and with informal enterprises directly, to advance the formalization of informal economic units is a growing priority for international employers' and business membership organizations, especially in the context of the ongoing recovery from COVID-19.⁶⁷

- 28. Trade union density rates have continued to decline globally since 2017 and gaps in representation for many of the most vulnerable groups of workers have persisted.** Although trade unions continue to be the largest voluntary membership organizations worldwide, representing more than 250 million workers, membership among wage and salaried employees has failed to rise in line with a growing labour force in recent years, resulting in a decline in trade union density rates overall (from 20 per cent to 16 per cent between 2008 and 2019),⁶⁸ with significant variation across regions (see figure 1). Available data suggest union density rates have fallen across most major sectors – most notably manufacturing, private commercial services, and the social and community services sectors.⁶⁹ Density rates remain higher in the public sector than in the private sector.⁷⁰ While the female unionization rate is now slightly higher than that of males, women are under-represented in leadership positions in many social partner organizations.⁷¹ Despite these overall negative trends, recent years have also seen some limited cases of success in expanding organization in under-represented groups of workers, including self-employed, platform and migrant workers, and workers in the informal economy, as discussed in section 2.1.2.

► **Figure 1. Union density rates, by region, 2019 (percentage)**



Source: ILO, *Social Dialogue Report 2022: Collective bargaining for an inclusive, sustainable and resilient recovery*, 2022.

⁶⁷ ILO, *Social Dialogue Report 2022*, 108–111.

⁶⁸ ILO, *Social Dialogue Report 2022*, 121.

⁶⁹ ILO, *Social Dialogue Report 2022*, 120–125.

⁷⁰ ILO, *Social Dialogue Report 2022*, 105 and 125.

⁷¹ Christiane Kuptsch and Éric Charest, *The Future of Diversity* (ILO, 2021), 49–50.

Trends in collective bargaining

29. **Available data indicate that around a third of formal economy employees are covered by a collective agreement**, with significant variation by region and country.⁷² Trade union density, the legislative framework and the level at which collective bargaining takes place are among the main factors influencing collective bargaining rates. Recent ILO data show a strong positive correlation between trade union density rates and collective bargaining coverage, although again with significant variation at country level.⁷³ Coverage rates are also enhanced where national legislation permits collective bargaining in the public sector and among civil servants.⁷⁴ The highest bargaining rates are typically found in countries (mostly in Western Europe) where multi-employer bargaining takes place at the sectoral or national levels, and where the practice exists of extending collective agreements beyond the signatories to the agreement.⁷⁵
30. **There have been efforts in some countries to expand collective bargaining coverage for specific categories of workers that are often excluded from collective bargaining in law and/or in practice.** This includes efforts in specific countries to extend collective bargaining rights to workers in the informal economy, migrant workers, domestic workers, agricultural workers, and workers in the platform economy.⁷⁶ However, there is little information about how these efforts have affected coverage rates across these labour market segments on a global scale, and the exclusion of important categories of workers from the right to collective bargaining has continued to constrain the potential for collective bargaining to contribute to the inclusive and effective governance of work over the last five years.⁷⁷
31. **There is consistent evidence that, where collective bargaining rights are respected, collective bargaining helps reduce income inequalities and protect groups in vulnerable situations.**⁷⁸ During the COVID-19 pandemic, in some jurisdictions collective bargaining helped strengthen OSH standards at workplaces to protect workers, while provisions in collective bargaining agreements on sick pay, healthcare benefits and employment protection were critical to preserving jobs and enabling post-crisis recovery. Collective bargaining has also helped ensure that changes to working arrangements resulting from the pandemic – such as teleworking and hybrid work – promote FPRW and the Decent Work Agenda.⁷⁹ However, the COVID-19 experience has highlighted the fact that uneven levels of collective bargaining coverage across the world remain a significant barrier to ensuring resilience and respect for FPRW in future crises.⁸⁰

1.2.2. The elimination of all forms of forced or compulsory labour

32. **Forced labour has grown in recent years.** Global estimates indicate that the number of people in forced labour globally increased from 24.9 million in 2016 to 27.6 million in 2021, translating to

⁷² Based on 98 countries for which recent data is available (primarily more industrialized economies in Europe and Central Asia and the Americas) and in relation to formal employees only. ILO, *Social Dialogue Report 2022*, 63–69.

⁷³ ILO, *Social Dialogue Report 2022*, 43.

⁷⁴ ILO, *Social Dialogue Report 2022*, 65–69.

⁷⁵ Out of the 125 countries for which data is available, 71 provide for the extension of collective agreements. There are three countries where extension is explicitly not applied and 48 countries where no relevant provision was found in the legislation. See ILO, *Social Dialogue Report 2022*, 60.

⁷⁶ ILO, *Social Dialogue Report 2022*, 49. On platform workers, see: Hadwiger, *Realizing the opportunities of the platform economy*.

⁷⁷ ILO, *Social Dialogue Report 2022*, 48.

⁷⁸ ILO, *Social Dialogue Report 2022*, 78–79; and ILO, *Inequalities and the world of work*, ILC.109/IV(Rev.), 2021, para. 99.

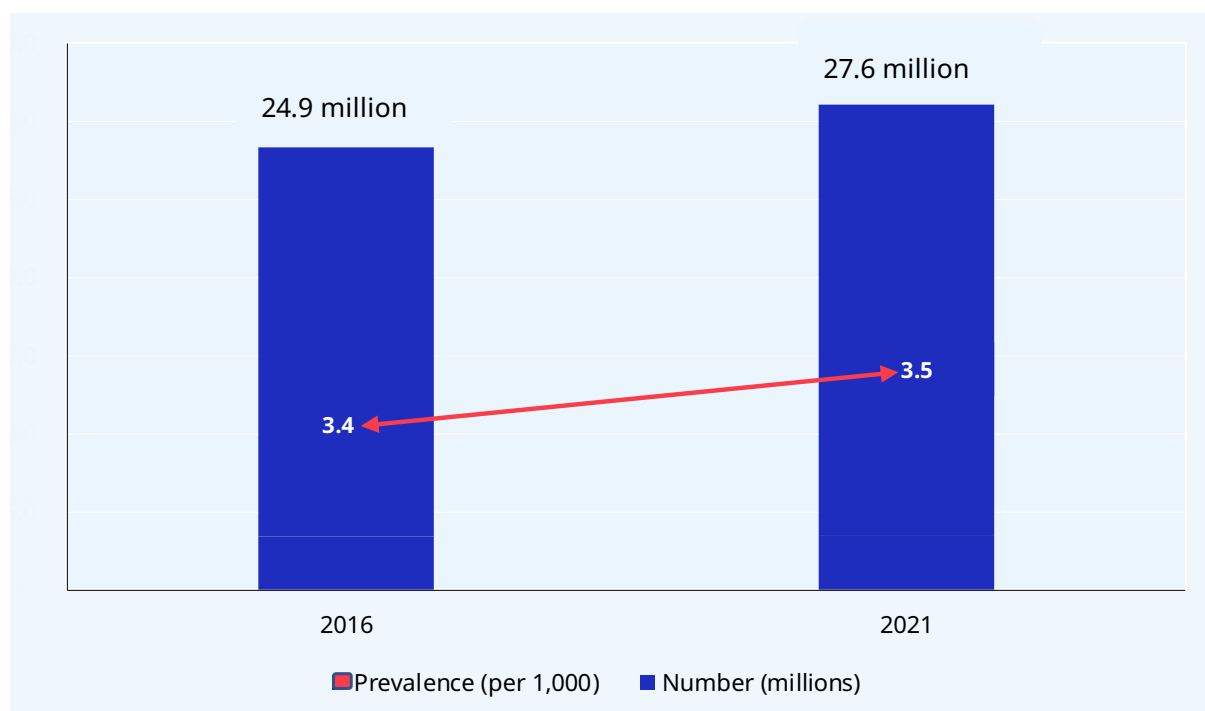
⁷⁹ ILO, *Social Dialogue Report 2022*, 14 and 22.

⁸⁰ ILO, ILC.111/III(A).

a rise in prevalence from 3.4 to 3.5 people per 1,000 (see figure 2). Women and girls make up 11.8 million of all those in forced labour. Forced labour affects all regions of the world, with it being most prevalent in the Arab States (5.3 per 1,000), followed by Europe and Central Asia (4.4 per 1,000), the Americas and Asia and the Pacific (both 3.5 per 1,000), and Africa (2.9 per 1,000). More than half of all forced labour occurs in either upper-middle income or high-income countries.⁸¹

- 33. A total of 86 per cent of forced labour cases occur in the private economy** and, according to recent ILO research, perpetrators of forced labour generate illegal profits of about US\$236 billion annually.⁸² The predominance of privately imposed forced labour underscores the importance of recent efforts to address forced labour in the operations of private enterprises, including new legislation and initiatives on human rights due diligence, as well as efforts to strengthen prosecution and remediation processes.⁸³ State-imposed forced labour – mainly comprising the abuse of compulsory prison labour, the abuse of conscription, forced labour for economic development, and state-imposed work beyond “normal civic obligations” – accounts for the remaining 14 per cent of people in forced labour. The comments of the ILO’s supervisory bodies make clear that state-imposed forced labour still persists in all regions of the world.⁸⁴

► **Figure 2. Number and prevalence of people in forced labour, 2016 and 2021**



Source: ILO, IOM and Walk Free, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, 2022

- 34. Forced labour is closely linked to broader challenges in the world of work.** While more research is needed into the root causes of forced labour, available evidence suggests that challenges relating, inter alia, to informality, migration governance, access to social protection,

⁸¹ ILO, IOM and Walk Free, *Global Estimates of Modern Slavery*, 72.

⁸² ILO, *Profits and Poverty: The economics of forced labour*. Second edition, 2024.

⁸³ ILO, *Ending Forced Labour by 2030: A Review of Policies and Programmes – Executive Summary*, 2018.

⁸⁴ ILO, IOM and Walk Free, *Global Estimates of Modern Slavery*, 50–57.

access to credit and recruitment all play an important role in heightening workers' vulnerability to forced labour. Neither can the phenomenon of forced labour be separated from other FPRW deficits, including the denial of FACB rights and discrimination.⁸⁵ Gaps and inconsistencies across policy and legislation exacerbate vulnerabilities to forced labour. Although several countries have adopted national action plans and similar measures to address forced labour since the last recurrent discussion,⁸⁶ such dedicated policy instruments are still rare, while those in place are not always adequately resourced or implemented.⁸⁷ Despite ongoing efforts to close legal gaps, approximately one third of countries still lack laws that clearly define, criminalize and sanction forced labour. Workers in the informal economy, where the risk of forced labour is especially pronounced, continue to lack full recognition and protection of their labour rights, including the right to organize, under the law.⁸⁸ Migrant workers, who are three times more likely to be in forced labour than other workers, also lack full protection under labour and social security laws in many contexts.

- 35. A lack of capacity in key public institutions responsible for law enforcement and victim support constrains forced labour responses in many contexts.** Continuing capacity limitations and lack of coordination across the labour inspection, other law enforcement, and judicial systems are reflected in the persistently low number of forced labour and trafficking cases identified for official investigation, as well as in the low number of successful prosecutions leading to convictions for forced labour offences.⁸⁹ In some cases, corruption among public officials undermines law enforcement and anti-trafficking efforts.⁹⁰ Insufficient information and data remains a key challenge reported by Member States, severely limiting efforts to combat forced labour effectively.⁹¹ A lack of institutional and cross-border coordination across areas such as migration governance, employment, and crime and security often impedes a coordinated response to addressing forced labour and its underlying root causes.

1.2.3. The effective abolition of child labour

- 36. Recent global trends show a reversal of progress towards ending child labour.** Since 2016, the percentage of children in child labour has remained unchanged, while the absolute number of children in child labour has increased by more than 8 million, to an estimated 160 million children worldwide in 2020 (see figure 3)⁹² The overall rise in child labour was driven entirely by an increase in younger children in child labour (5- to 11-year-olds); 12- to 17-year-olds in child labour continued to trend downwards in both percentage and absolute terms during the 2016–20 period. The global estimates make clear that a dramatic acceleration in progress against child labour will be necessary to meet global targets.

⁸⁵ See, for example, ILO, OECD, IOM and UNICEF, *Ending child labour, forced labour and human trafficking in global supply chains*, 2019; ILO, *Ending Forced Labour By 2030: A Review Of Policies And Programmes*, 2018; and ILO, *Profits and poverty: The economics of forced labour*, 2014. The ILO Research to Action *Evidence Gap Map on Forced labour* and *Bibliography*, both launched in 2023, bring together the full body of published research on forced labour.

⁸⁶ For example, Nigeria and Malaysia. ILO, ILC.111/III(A).

⁸⁷ ILO, IOM and Walk Free, *Global Estimates of Modern Slavery*, 96.

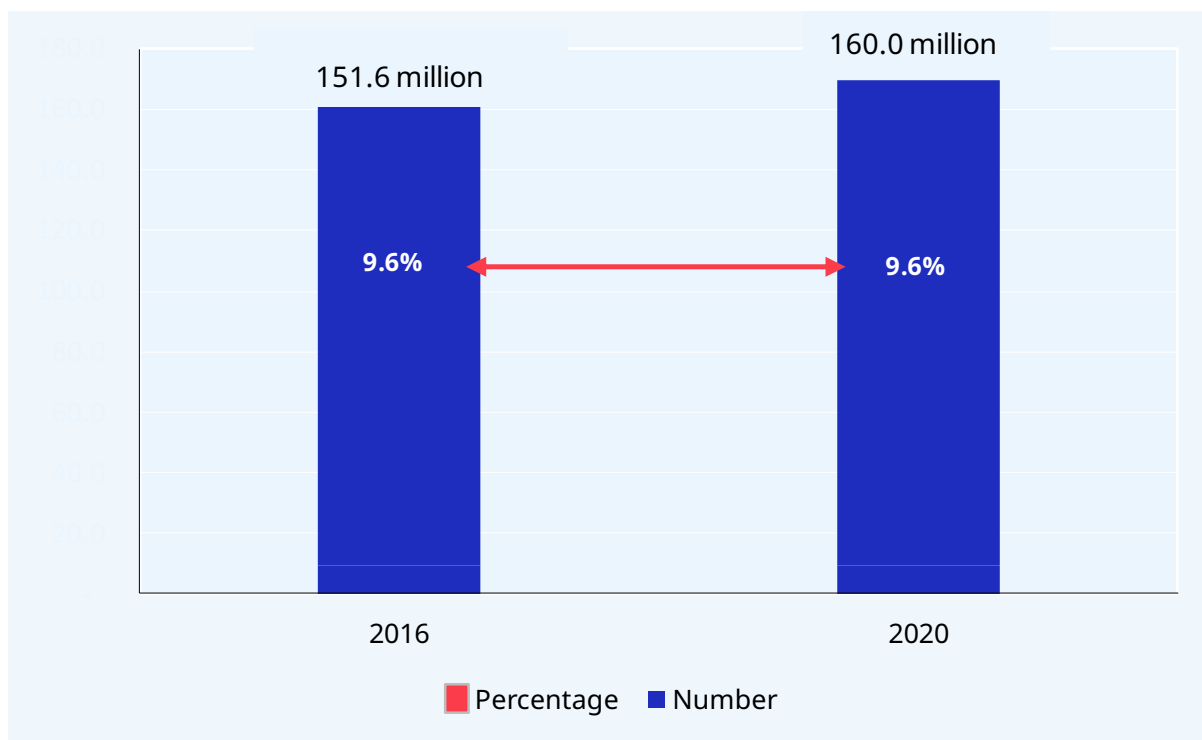
⁸⁸ For example, see previous section concerning exclusion of certain categories of workers from laws ensuring FACB rights.

⁸⁹ ILO, IOM and Walk Free, *Global Estimates of Modern Slavery*, 87.

⁹⁰ ILO, ILC.111/III(A) (concerning Argentina and Gabon).

⁹¹ ILO, GB.347/INS/3.

⁹² ILO and UNICEF, *Child Labour*, 8.

► **Figure 3. Number and prevalence of children in child labour, 2016 and 2020**

Source: ILO and UNICEF, *Child Labour: Global estimates 2020, trends and the road forward*, 2021

- 37. Global trends mask significant progress in some regions.** Data from Asia and the Pacific and Latin America and the Caribbean show a steady reduction in child labour overall since 2008, highlighting concrete results from concerted national and multilateral efforts to combat child labour in recent decades. In contrast, Africa has seen an increase in both the percentage and absolute number of children in child labour over the last decade, and there are now more children in child labour in Africa than in the rest of the world combined.⁹³ Divergent regional child labour trends can be attributed largely to differences in the evolution of the root causes of child labour, including poverty, informality, social protection coverage for children, and access to quality education.⁹⁴ The better performing regions have registered more progress across all of these policy areas.
- 38. A total of 70 per cent of all child labour (and more than three quarters of child labour affecting 5-to 11-year-olds) is found in agriculture, often in the context of family labour.**⁹⁵ Small family farms are especially high risk because they are typically more reliant on child labour economically and functionally.⁹⁶ In larger commercial agricultural entities, piecework payment schemes, where income depends on kilos of crops picked or number of rows weeded, for example, can incentivize the use of children – especially if that means families are able to earn

⁹³ ILO and UNICEF, *The role of social protection in the elimination of child labour*, 9; ILO and UNICEF, *Child Labour*. There are also important subregional variations within Africa, with notably higher prevalence in Eastern and Western Africa (29.8 per cent [38.6m] and 22.8 per cent [30.3m] respectively) compared to other subregions.

⁹⁴ ILO, *COVID-19 impact on child labour and forced labour: The response of the IPEC+ Flagship Programme*, 2020, 4.

⁹⁵ ILO and UNICEF, *Child Labour*, 9.

⁹⁶ FAO, *Social Protection and Child Labour: Eliminating child labour in agriculture with social protection*, 2020.

enough to make ends meet.⁹⁷ Services and industry account for smaller but still substantial shares of children in child labour. Nearly 20 per cent of child labour occurs in the service sector, a category that includes domestic work, which accounts for 5 per cent of child labour. Industry, including construction, mining and manufacturing, accounts for one in ten of children in child labour.

- 39. There is a growing body of evidence on the importance of social protection for efforts to combat child labour.** Social protection can help prevent child labour by providing income and health buffers to families, especially in the agriculture sector and in times of crisis, reducing their reliance on child labour as a survival strategy. Higher social protection coverage is associated with lower child labour prevalence, and thus child labour is typically found in countries, regions and sectors in which social protection coverage is limited or absent.⁹⁸ Evidence also points to the importance for efforts to combat child labour of, inter alia, safeguarding and advancing children's right to education, expanding decent work opportunities for adults and young people above the minimum age, improving rural livelihoods and accelerating the transition to formality.⁹⁹ Low levels of awareness – among children, parents and employers – about the dangers and adverse consequences of child labour also remain a significant challenge in tackling sociocultural drivers of child labour and building broad-based societal support to address it.¹⁰⁰
- 40. Legal and institutional challenges continue to constrain efforts to address child labour in many countries.** Challenges remain regarding the harmonization of the minimum age of employment with the end of compulsory education, and the adoption or review of national lists of hazardous work prohibited to people under 18 years of age.¹⁰¹ The consolidation, strengthening and effective enforcement of laws in related areas, such as forced labour, child trafficking, child protection and (compulsory) education legislation, are also critical.¹⁰² ILO supervisory bodies have consistently highlighted shortcomings in action among labour inspectorates (including their lack of mandate to inspect informal enterprises), police divisions, courts, and welfare and education departments responsible for addressing school dropouts.¹⁰³ Inadequate judicial and remedy mechanisms and subsequent low numbers of prosecutions for the worst forms of child labour constitute another critical challenge.¹⁰⁴ This is accompanied by insufficient support and promotional functions, such as victim support and services focused on rehabilitation and reintegration.

⁹⁷ Noting that the *Durban Call to Action on the Elimination of Child Labour* called for reassessing piece-rate wage systems in agriculture, and recognizing the need to guarantee adequate minimum wages for agricultural workers, sufficient to meet their needs.

⁹⁸ ILO and UNICEF, *The role of social protection in the elimination of child labour*.

⁹⁹ ILO and UNICEF, *Child Labour*; ILO, *Ending Child Labour by 2025: A review of policies and programmes*, 2018.

¹⁰⁰ ILO, GB.347/INS/3; ILO, *Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, GB.344/INS/4(Rev.1), 2022; ILO, *Communication Strategies on Child Labour: From Awareness Raising to Action*, 2021.

¹⁰¹ ILO, *Ending Child Labour by 2025*.

¹⁰² ILO, *Child Labour in Africa Analytical Report*, unpublished.

¹⁰³ See for example Albania, Democratic Republic of the Congo. ILO, *Application of International Labour Standards 2022*, ILC.110/III(A), 2022.

¹⁰⁴ ILO, *Child Labour in Africa Analytical Report*, unpublished.

1.2.4. The elimination of discrimination in respect of employment and occupation

41. **Discrimination in employment and occupation – across and beyond the grounds articulated in the fundamental Conventions**¹⁰⁵ – remains persistent and pervasive, constituting an important driver of inequality and a key impediment to decent work and social justice. Various grounds of discrimination often intersect (for example, ethnicity, sex and social origin), highlighting the complex character of discrimination, both direct and indirect. Discrimination also manifests in the violation of the principle of equal pay for work of equal value, as established in Convention No. 100, as well as in various forms of discrimination-based workplace violence and harassment.
42. **Persistent gender differences in labour force participation (25 percentage points) and the jobs gap (4.5 percentage points) have scarcely changed since 2016.**¹⁰⁶ There are significantly larger gaps for both these indicators in some regions, notably South Asia, North Africa and the Arab States, and across low-income countries more generally.¹⁰⁷ When women do secure employment, they work fewer hours on average than their male counterparts, are more likely than men to work in part-time and temporary work,¹⁰⁸ and more frequently face forms of employment characterized by poor working conditions, lack of social protection, and limited recognition and protection of FPRW in practice.¹⁰⁹ The fewer hours worked by women in paid employment, due in part to women's disproportionate share of unpaid care and family responsibilities,¹¹⁰ compound existing gender employment gaps and contribute to greater employment and income insecurity.¹¹¹
43. **The latest global estimates put the gender pay gap at 19 per cent, with large variations across regions.**¹¹² Gender pay gaps derive variously from: patterns of occupational segregation, with women concentrated in sectors and occupations characterized by lower pay and lack of effective trade union representation; penalties in pay and career progression due to employment interruptions related to maternity or other family and care responsibilities; differences in education and training; gender bias in recruitment and job evaluations; and direct pay discrimination.¹¹³ At current rates, key labour market gender gaps, including the gender pay gap and disparities in time spent in unpaid care work, will not be closed for many years.¹¹⁴

¹⁰⁵ Convention No. 111 refers expressly to discrimination on the grounds of race, colour, sex, religion, political opinion, national extraction or social origin. Over time, the CEACR has also affirmed that sex discrimination goes beyond distinctions based on biological characteristics (sex), and also includes unequal treatment arising from socially constructed roles and responsibilities assigned to a particular sex (gender). See, for example: ILO, *Achieving gender equality at work*, ILC.111/III(B), 2023.

¹⁰⁶ Data on labour force participation rates from ILOSTAT (modelled estimates, November 2022). The ILO's "jobs gap" indicator measures those not in employment but who want to work. In addition to the unemployed, the measure also includes those not actively searching for a job, for example because of care obligations. ILO, *Spotlight on Work Statistics No.12: New Data Shine Light on Gender Gaps in the Labour Market*, ILO brief, March 2023.

¹⁰⁷ Labour force participation gaps were 24.8 percentage points in South Asia, 19.8 in North Africa, and 19.2 in Arab States in 2022. (ILO, *World Employment and Social Outlook: Trends 2023*, 30). The estimated "jobs gap" was 8.4 and 6.4 percentage points, respectively, in low-income and lower-middle-income countries in 2022. ILO, *Spotlight on Work Statistics No. 12*.

¹⁰⁸ ILO, ILC.111/III(B); ILO, ILC.109/IV(Rev.).

¹⁰⁹ ILO, ILC.111/III(B).

¹¹⁰ ILO, ILC.111/III(B).

¹¹¹ ILO, *World Employment and Social Outlook: Trends 2023*, 36. Globally, women in employment worked an average of 37.3 hours per week compared to 44.1 hours for men. The most significant gaps are in Arab States (33.9 hours for women compared to 45.3 hours for men), South Asia (34.2 and 49.7), and Central and Western Asia (33.2 and 47.9).

¹¹² ILO, *Global Wage Report 2018/19: What Lies Behind Gender Pay Gaps*, 2018.

¹¹³ ILO, ILC.111/III(B), para. 29.

¹¹⁴ ILO, *A Quantum Leap for Gender Equality: For a Better Future of Work for All*, 2019.

- 44. Among the millions of others affected by discrimination across the globe are people of African descent, indigenous and tribal peoples, ethnic minorities, migrants and refugees.** ILO research in 2019 found that indigenous and tribal peoples face an average pay gap of 18.5 per cent at the global level compared to non-indigenous people.¹¹⁵ In Latin America and the Caribbean, the estimated pay gap is over 30 per cent,¹¹⁶ contributing to disproportionately high poverty rates among indigenous peoples and persons of African descent across the region.¹¹⁷ Available data indicates that indigenous children face a considerably higher risk of child labour and exclusion from education.¹¹⁸ Forms of religious intolerance and discrimination in the workplace can also be manifold, and include prejudices among both employers or workers, restrictive interpretations of corporate identity or unease with religious diversity.¹¹⁹ There is a lack of data with which to assess progress in addressing discrimination and inequality affecting people of specific racial, ethnic or religious groups, including a lack of sufficient disaggregation of key labour market indicators by characteristics that may constitute grounds for discrimination.
- 45. Migrant workers worldwide face prejudice and stigmatization that often manifests as discrimination and exclusion in the world of work.** In many contexts, migrant workers are disproportionately concentrated in low-paying and informal jobs; one study estimated that 62 per cent of migrants were engaged in informal work compared to 51 per cent of nationals.¹²⁰ Concerning pay, migrant workers in higher-income countries earn an average of 12.6 per cent less than nationals in terms of hourly wages,¹²¹ although the gap is significantly higher in some countries, and recent evidence suggests a significant increase in pay disparity in the last five years. Much of the migrant pay gap is not explained by workers' other characteristics (education, age, location and so on), suggesting the persistence of significant direct and/or indirect discrimination affecting employment opportunities and outcomes for migrant workers.¹²² Women migrant workers are more likely to experience intersecting forms of discrimination and are particularly disadvantaged in terms of access to formal employment, exposure to OSH and other risks, and pay.¹²³
- 46. Persons with disabilities, who are estimated to make up more than 15 per cent of the global population, are also subject to discrimination and disadvantage in the world of work,** including consistently lower rates of employment and lower pay compared to those without a disability.¹²⁴ Where disaggregated labour market data is available, it reveals consistent inequalities across regions, affecting access to training and employment for persons with disabilities. For example, almost 80 per cent of young people with disabilities in Senegal are not in employment, education or training, compared to 33 per cent of young people without

¹¹⁵ ILO, *Implementing the ILO Indigenous and Tribal Peoples Convention No. 169*.

¹¹⁶ ILO, *Implementing the ILO Indigenous and Tribal Peoples Convention No. 169*.

¹¹⁷ UN Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America*, 2021, 69.

¹¹⁸ ILO, *Issue paper on child labour and education exclusion among indigenous children*, 2023.

¹¹⁹ UN General Assembly, *Elimination of all forms of religious intolerance*, A/69/261, 2014.

¹²⁰ Silas Amo-Agyei, *The Migrant Pay Gap: Understanding Wage Differences Between Migrants and Nationals* (ILO, 2020). Based on data from 14 lower-middle-income and 2 higher-income countries.

¹²¹ Amo-Agyei, *The Migrant Pay Gap*. The study also highlights a double pay penalty for women migrant workers, with the migrant pay gap between women migrant workers and nationals who are men being over 20.9 per cent in higher-income countries.

¹²² Amo-Agyei, *The Migrant Pay Gap*.

¹²³ Amo-Agyei, *The Migrant Pay Gap*.

¹²⁴ UN Department of Economic and Social Affairs, *Disability and Development Report: Realizing the Sustainable Development Goals by, for and with persons with disabilities*, 2018, 2019. Vulnerability often extends to family members of persons with a severe disability. See, for example, ILO, *Living with Disabilities in Lebanon: A snapshot assessment of basic needs, social protection and employment gaps*, 2023.

disabilities; in Indonesia, the inactivity rate for persons with disabilities is 89 per cent; in Costa Rica, persons with disabilities earn on average 31 per cent less than persons without disabilities.¹²⁵

- 47. People living with HIV – an estimated 37 million globally – continue to face discrimination in the workplace,** restricting employment opportunities (leading to a disproportionate number in informal work) and adversely affecting their dignity, and safety and health at work. *The ILO Global HIV Discrimination in the World of Work survey* underscores the pervasiveness of discriminatory attitudes. More than a third of respondents to the survey, which interviewed more than 55,000 people across 50 countries, thought that people living with HIV should not be allowed to work directly with others, with higher proportions in Asia and the Pacific, the Middle East and North Africa. A majority (60 per cent) supported mandatory HIV testing before people are allowed to work.¹²⁶
- 48. Discriminatory laws persist in many countries, in addition to gaps in non-discrimination legislation that fails to apply the fundamental Conventions fully.** Some countries have laws and regulations that establish differential wage rates for women and men, or such disparities are codified through collective bargaining agreements.¹²⁷ More generally, across 193 UN Member States, 89 per cent of countries have laws that prohibit, in general terms, work-related discrimination on the basis of sex; 79 per cent on the basis of disability; 77 per cent on the basis of religion; 76 per cent on the basis of ethnicity and race;¹²⁸ and 37 per cent on the basis of sexual orientation or gender identity.¹²⁹ Far fewer countries have comprehensive protections relating to hiring, pay, promotion, termination, and violence and harassment. For example, just 23 per cent of countries have such comprehensive legal protections concerning gender discrimination; 19 per cent concerning disability; 17 per cent concerning ethnicity and religion; and 16 per cent concerning sexual orientation.¹³⁰ Finally, even where there are strong legal protections, few governments have managed to secure effectively, in practice, substantive equality across different grounds of potential disadvantage and discrimination.¹³¹

1.2.5. A safe and healthy working environment

- 49. Workers in all sectors and across the world are exposed to unsafe and unhealthy working environments on a daily basis.** According to the latest ILO global estimates, around 2.93 million workers lost their lives due to occupational accidents and diseases in 2019, and over 395 million workers sustained a non-fatal work injury in the same year.¹³² Aside from the devastating impact on individuals, their families and communities, the impact on enterprise efficiency and productivity, and the economic losses for societies are also of importance. The recognition of a safe and healthy working environment as a fifth FPRW category, through the amendment of the 1998 Declaration, represents a significant step towards improving OSH standards globally. It creates momentum for increasing OSH efforts worldwide, provides a rights-based approach in which to ground actions, and underlines the central role of the ILO in this field.

¹²⁵ ILOSTAT.

¹²⁶ ILO and Gallup, *The ILO Global HIV Discrimination in the World of Work survey*, 2021.

¹²⁷ For example, Saint Lucia. ILO, ILC.110/III(A).

¹²⁸ Based on ILO analysis of 193 UN Member States: ILO, *Transforming enterprises through diversity and inclusion*, 2022, 74.

¹²⁹ Kuptsch and Charest, *The Future of Diversity*, 123.

¹³⁰ ILO, *Transforming enterprises through diversity and inclusion*, 75–76.

¹³¹ CEACR, *General Observation on the Discrimination (Employment and Occupation) Convention, 1958 (No.111)*, 2019, 2.

¹³² ILO, *A call for safer and healthier working environments*, 2023.

50. **Statistics for the period from 2000 to 2019 suggest an overall improvement in workplace safety, marked by a 10 per cent decrease in the work-related mortality rate.**¹³³ However, against the backdrop of a 26 per cent increase in the global labour force over this period, the OSH challenge has not diminished in absolute terms. Indeed, there were 0.33 million *more* work-related mortalities in 2019 than in 2000.¹³⁴ Moreover, progress in reducing the work-related mortality rate did not keep pace with progress in reducing all-cause mortality – the latter fell by 15 per cent during the period from 2000 to 2019.¹³⁵ Despite improvements achieved on certain fronts, workers must also increasingly contend with a range of new and emerging risk factors. For example, from 2000 to 2019, the rate of neuropsychiatric conditions increased by over 90 per cent, the rate of genito-urinary system diseases by over 35 per cent, and the rate of malignant neoplasms by over 10 per cent.¹³⁶ Climate change is also having an impact on OSH. Every year, 22.85 million occupational injuries and 18,970 work-related deaths are attributable to excessive heat, with 2.41 billion workers being exposed to such heat annually.¹³⁷
51. **The large majority of work-related deaths are attributable to work-related diseases according to the ILO estimates for 2019.** Out of 2.93 million work-related fatalities, 2.6 million were attributable to work-related diseases, while work accidents resulted in 330,000 deaths. Circulatory diseases, malignant neoplasms and respiratory diseases were the primary causes, contributing to nearly three quarters of total work-related mortality.¹³⁸ Among the 19 occupational risk factors considered in the *WHO/ILO Joint Estimates of the World-related Burden of Disease and Injury, 2000–2016*, the one with the largest number of attributable deaths globally in 2016 was exposure to long working hours (≥ 55 hours per week), which killed almost 745,000 people, followed by exposure to occupational particulate matter, gases and fumes, with over 450,000 associated deaths, and exposure to asbestos, with over 200,000 deaths.¹³⁹
52. **Recent years have also seen increased attention among policymakers and social partners to mental health at work.** An estimated 15 per cent of working-age adults lived with a mental disorder in 2019 and an estimated 12 billion workdays are lost annually to anxiety and depression.¹⁴⁰ For all people, irrespective of whether they have a mental health condition, workplaces can enhance or undermine mental health. Safe and healthy working environments are more likely to enhance work performance and productivity, improve staff retention, and minimize tension and conflict. Conversely, unsafe or unhealthy working environments, exacerbated by long hours, can undermine mental health, affecting a person's ability to work if left unattended.¹⁴¹
53. **Policy and regulatory gaps, as well as limited institutional capacities, remain significant and recurrent challenges to the realization of a safe and healthy working environment at a national level.**¹⁴² Despite notable progress in national efforts to ensure a safe and healthy

¹³³ ILO, *A call for safer and healthier working environments*.

¹³⁴ ILO, *A call for safer and healthier working environments*.

¹³⁵ WHO, “Global health estimates: Leading causes of deaths,” Global Health Observatory Database.

¹³⁶ ILO, *A call for safer and healthier working environments*.

¹³⁷ ILO, *Ensuring safety and health at work in a changing climate*, 2024.

¹³⁸ ILO, *A call for safer and healthier working environments*.

¹³⁹ ILO and WHO, *WHO/ILO Joint Estimates of the Work-related Burden of Disease and Injury, 2000–2016*, Global Monitoring Report, 2021.

¹⁴⁰ WHO, *World mental health report: Transforming mental health for all*, 2022.

¹⁴¹ ILO and WHO, *Mental Health at Work: Policy Brief*, 2022, 3.

¹⁴² ILO, GB.347/INS/7.

working environment, including through the adoption of national OSH policies and programmes and steps to reinforce OSH legislation,¹⁴³ less than half of all ILO Member States had a national OSH policy in place as of March 2023 (and only around one third had a national programme), a deficit particularly visible in low-income countries.¹⁴⁴ Moreover, many countries have outdated or narrowly focused OSH policies and regulations.¹⁴⁵ For example, high-risk sectors and occupations like agriculture, construction or mining often lack adequate regulations.¹⁴⁶ In addition, limited progress has been made in respect of mental health legislation and enforcement, despite significant numbers of workers experiencing difficulties with mental health.¹⁴⁷

- 54. Lack of education and training on OSH issues, significant gaps in the collection, analysis and dissemination of OSH data, inactivity of national tripartite OSH consultative bodies, and reprisals against workers for reporting OSH issues are additional challenges in many countries.**¹⁴⁸ A lack of awareness and difficulties in access to external support and training have been identified as some of the main reasons behind the relatively higher rates of OSH incidents in small and medium-sized enterprises (SMEs).¹⁴⁹ Lack of data on OSH injuries, accidents and diseases continues to impede identification of OSH risk and effective targeting of prevention and enforcement interventions, including for groups that are particularly at risk, as well as monitoring of progress in implementing OSH Conventions.¹⁵⁰ Lack of reliable data reflects broader challenges in relation to national recording and notification systems for OSH accidents and diseases. While 171 Member States have developed mechanisms and procedures for the recording and notification of occupational injuries and diseases, only 41 per cent of these countries have provided data to the Office in the past five years.¹⁵¹

¹⁴³ ILO, ILC.111/III(A).

¹⁴⁴ ILO, *Implementing a safe and healthy working environment: Where are we now?*, 2023.

¹⁴⁵ ILO, GB.347/INS/7.

¹⁴⁶ ILO, GB.347/INS/7.

¹⁴⁷ ILO and WHO, *Mental Health at Work*, 6

¹⁴⁸ ILO, ILC.111/III(A); ILO, GB.347/INS/7.

¹⁴⁹ ILO, *Improving occupational safety and health in small and medium-sized enterprises – Training module*, 2021.

¹⁵⁰ Noted by the CEACR in multiple countries, for example in ILO, *Direct Request (CEACR)*, 2023 (Côte d'Ivoire) and *Direct Request (CEACR)*, 2023 (Morocco).

¹⁵¹ ILO, *Implementing a safe and healthy working environment*.

► Chapter 2

Policy actions to advance fundamental principles and rights at work on the ground

55. Despite the challenging global context, ongoing digital, environmental and demographic transitions and persistent informality, ILO constituents in a number of Member States have taken some action over the reporting period to advance FPRW. Section 2.1 examines such measures and initiatives, while section 2.2 reviews action deployed by the Office in support of constituents, within the broad framework of the plan of action¹⁵² for the period 2017–23. The analysis is informed in particular by the findings and recommendations of the *Independent high-level evaluation of ILO's strategies and action on fundamental principles and rights at work, 2018–23* (high-level evaluation), considered at the 349th Session of the Governing Body,¹⁵³ the Office response to the evaluation findings¹⁵⁴ and the Governing Body's guidance.¹⁵⁵

2.1. Policy action by constituents

2.1.1. Efforts to improve legislation and policies

56. **Strengthening national laws concerning FACB rights.** Georgia removed legal barriers to the formation of new trade unions.¹⁵⁶ Other governments have eliminated restrictions on trade union membership based on factors such as nationality (Algeria), age (Togo), literacy (Cambodia) and existing union membership (Pakistan).¹⁵⁷ As part of a wider collective labour reform, Mexico strengthened legal and institutional mechanisms to address anti-union discrimination and prevent acts of interference by employers, and introduced measures to improve the representativeness of trade unions and promote collective bargaining.¹⁵⁸
57. **Extending FACB rights to specific sectors and categories of workers.** Countries including Botswana, Bulgaria, Canada, Mexico and Peru reduced restrictions on FACB rights for public sector workers.¹⁵⁹ Jordan amended its national labour laws to extend FACB rights to agricultural workers.¹⁶⁰ Poland extended the scope of FACB rights beyond the sole category of employees to cover any person providing work for remuneration irrespective of the legal basis of their contractual relationship.¹⁶¹ Peru amended legislation to facilitate greater collective bargaining beyond the enterprise level in agriculture, while Guinea-Bissau's new labour law extends

¹⁵² ILO, GB.331/INS/4/3(Rev.).

¹⁵³ ILO, *Independent high-level evaluation of ILO's strategies and action on fundamental principles and rights at work, 2018–23*, (Independent high-level evaluation of FPRW 2018–23), 2023

¹⁵⁴ ILO, *High-level evaluations of strategies and Decent Work Country Programmes*, GB.349/PFA/5, 2023.

¹⁵⁵ ILO, *Minutes of the 349th Session of the Governing Body of the International Labour Office*, GB.349/PV(Rev.1), 2023.

¹⁵⁶ ILO, ILC.110/III(A) (Georgia).

¹⁵⁷ ILO, ILC.111/III(A) (Algeria, Pakistan, Togo); ILO, ILC.109/III/Add.(A) (Cambodia).

¹⁵⁸ ILO, *Direct Request (CEACR)*, 2022 (Mexico).

¹⁵⁹ ILO, ILC.109/III/Add.(A); ILO, ILC.110/III(A); ILO, ILC.111/III(A).

¹⁶⁰ ILO, GB.347/INS/3, para. 22.

¹⁶¹ ILO, *Observation (CEACR)*, 2023 (Poland).

protections of freedom of association to dockworkers and agricultural workers, including foreign workers.¹⁶²

58. **Building capacity to implement FACB in practice.** In many countries, these efforts centred on building capacity in the labour administration and labour judicial systems, often with support from the Office. A programme to train labour inspectors in Colombia focused on labour administration procedures and how to identify cases of disguised employment, issues identified as key barriers to effective enforcement of FACB laws.¹⁶³ Namibia saw efforts to build labour inspection capacity in the fishing sector, including through direct engagement with fishers to raise awareness of FACB rights.¹⁶⁴ Mexico's collective labour reform included measures to strengthen institutional mechanisms and processes to resolve collective labour disputes and ensure more transparent and democratic workplace processes to facilitate the effective exercise of the right to collective bargaining.¹⁶⁵
59. **Legislative measures to identify, define and criminalize different practices that constitute forced labour.** Ethiopia and Mauritania revised legislation to provide clearer and/or more comprehensive definitions of forced labour (including trafficking in persons), to increase penalties for perpetrators, and to enhance protection and rehabilitation measures for victims.¹⁶⁶ Angola and Botswana amended legislation to restrict the use of compulsory prison labour in the context of sentences imposed for certain offences, such as illegal strike action or breaches of labour discipline, in line with Convention No. 105.¹⁶⁷
60. **National action plans on forced labour to provide a road map to translate law into practice.** Peru's new national action plan adopts a holistic approach that combines actions to address forced labour directly (capacity of state institutions, investigations and prosecutions, victim support and rehabilitation services) and initiatives to combat root causes (collection of socio-economic vulnerability data, public awareness-raising, and targeted initiatives to enhance employability and enjoyment of other labour rights among at-risk populations).¹⁶⁸ Similarly, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) National Action Plan on Human Trafficking in Nigeria: 2022–26 sets out critical pillars of action covering protection and assistance, prevention, research and assessment, prosecution, and partnership and coordination.¹⁶⁹ Although several countries have adopted national action plans and similar measures to address forced labour since the last recurrent discussion,¹⁷⁰ such dedicated policy instruments are still rare, while those in place are not always adequately resourced or implemented.¹⁷¹

¹⁶² However, trade unions (Peru) and the CEACR (Guinea-Bissau) have noted some remaining restrictions. On Peru, see ILO, ILC.110/III(A), 552; on Guinea-Bissau, see ILO, [Observation \(CEACR\)](#), 2022.

¹⁶³ ILO, *Building a culture of workplace compliance through development cooperation: Compendium of good practices*, 2021. This also included the creation of a checklist for labour inspectors of conduct prejudicial to freedom of association.

¹⁶⁴ ILO, *Strategic Compliance Planning in action: Stories of change*, 2023.

¹⁶⁵ ILO, Direct Request (CEACR), 2022 (Mexico).

¹⁶⁶ ILO, ILC.111/III(A); ILO, [Direct Request \(CEACR\)](#), 2023 (Mauritania).

¹⁶⁷ ILO, ILC.110/III(A); ILO, ILC.111/III(A).

¹⁶⁸ Government of Peru, Ministerio de Trabajo y Promoción del Empleo, *III Plan Nacional para la Lucha contra el Trabajo Forzoso 2019 – 2022*, 2019.

¹⁶⁹ ILO, ILC.111/III(A), 405.

¹⁷⁰ For example, Nigeria and Malaysia. ILO, ILC.111/III(A).

¹⁷¹ ILO, IOM and Walk Free, *Global Estimates of Modern Slavery*, 96.

- 61. Reforms to employment and immigration legislation and procedures to address risks faced by many migrant workers and prevent them from falling into forced labour.** Qatar has dismantled some of the most problematic elements of the *kafala* sponsorship system, including restrictions on workers' freedom to change employer or terminate their employment, that significantly increased the risk of forced labour.¹⁷² Malaysia's National Action Plan on Forced Labour 2021–2025 includes a particular focus on labour migration governance, including measures to address unfair recruitment practices, irregular migration and lack of awareness of rights among migrant workers.¹⁷³ At the same time, many countries of origin have established overseas labour offices to assist migrant workers in destination countries, including victims of forced labour.¹⁷⁴
- 62. Reforms relating to the minimum age of employment and children's hazardous work.** Countries including Ethiopia,¹⁷⁵ Guinea,¹⁷⁶ Malawi¹⁷⁷ and Sri Lanka¹⁷⁸ have amended national laws to align the minimum age of admission into employment with the minimum age for completing compulsory education,¹⁷⁹ helping reduce the risk of children engaging in work that interferes with their education. Others have amended their legislation to specify and/or increase the minimum age of employment in specific occupations (Cambodia for domestic work),¹⁸⁰ or to raise the minimum age for apprenticeships (Egypt)¹⁸¹ or light work (Malaysia),¹⁸² in line with Convention No. 138. Countries including Colombia,¹⁸³ Malaysia¹⁸⁴ and Mali¹⁸⁵ have also introduced or updated lists of hazardous work prohibited for children under the age of 18, thereby strengthening national protections against the worst forms of child labour in line with Convention No. 182. In certain cases, such as in Colombia and Malaysia, domestic work has been added to the hazardous occupations prohibited for children. Countries including Eswatini¹⁸⁶ and Nepal¹⁸⁷ have recently revised national laws concerning child sexual abuse, including in relation to child commercial sexual exploitation and the reproduction of child sexual abuse materials, through more expansive legal definitions and stronger penalties.
- 63. Integrated strategies and action plans to address the diverse root causes of child labour.** Several countries have taken steps to mainstream child labour considerations into national policymaking areas to address the multifaceted drivers of child labour. Malawi developed the National Child Labour Mainstreaming Guide for government agencies and social partners on how

¹⁷² ILO, ILC.109/III/Add.(A).

¹⁷³ ILO, ILC.110/III(A).

¹⁷⁴ For example, the Philippines. ILO, ILC.109/III/Add.(A).

¹⁷⁵ ILO, ILC.111/III(A), 468.

¹⁷⁶ ILO, ILC.111/III(A), 484.

¹⁷⁷ ILO, ILC.111/III(A), 519.

¹⁷⁸ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka and Pakistan, 2018–21*, 2021, 58.

¹⁷⁹ ILO, ILC.110/III(A); ILO, ILC.111/III(A); ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka and Pakistan, 2018–21*.

¹⁸⁰ ILO, ILC.111/III(A).

¹⁸¹ ILO, *Observation (CEACR)*, 2022 (Egypt).

¹⁸² ILO, ILC.111/III(A), 522.

¹⁸³ ILO, ILC.110/III(A).

¹⁸⁴ ILO, ILC.111/III(A).

¹⁸⁵ ILO, ILC.111/III(A), 526.

¹⁸⁶ ILO, ILC.111/III(A), 463.

¹⁸⁷ ILO, ILC.111/III(A), 544.

to integrate child labour considerations into activities and programmes in their functional areas.¹⁸⁸ Mali has engaged all relevant sectoral ministries in the formulation of its new action plan to operationalize the Durban Call to Action on the Elimination of Child Labour. Other countries have prioritized interventions to extend social protection to at-risk children, recognizing the critical role of social protection in combating child labour. For example, more than 3 million at-risk children had benefited from pensions, scholarships and other support under Egypt's Takaful and Karama Programme by the end of 2020.¹⁸⁹

- 64. Reforms to discriminatory legal provisions barring women from certain occupations and types of work.** Countries including Bahrain¹⁹⁰ and Kuwait¹⁹¹ repealed bans on women's employment in some occupations and for night work,¹⁹² while Costa Rica, Gabon, Kazakhstan and the Republic of Moldova were among countries to have lifted restrictions on women working in specific jobs perceived as harmful to their health and well-being. Countries including Kuwait,¹⁹³ Mongolia,¹⁹⁴ Peru,¹⁹⁵ Togo¹⁹⁶ and Viet Nam¹⁹⁷ have strengthened laws concerning violence and harassment at work, which disproportionately affects women.¹⁹⁸
- 65. Legislation promoting equal remuneration.** Countries including Bahrain,¹⁹⁹ Jordan,²⁰⁰ Mongolia,²⁰¹ Portugal,²⁰² Spain,²⁰³ Thailand,²⁰⁴ United Arab Emirates,²⁰⁵ Uzbekistan²⁰⁶ and Zambia²⁰⁷ revised national laws to give full legal expression to the principle of equal remuneration for work of equal value. Other countries have also adopted pay transparency legislation, which aims to facilitate the application of equal pay for work of equal value through enhanced access to information. The European Union adopted an EU-wide Directive on pay transparency in 2023. Countries including Canada, Chile, Iceland and the United States of America have also adopted or are in the process of adopting pay transparency legislation.²⁰⁸ In Peru, the Government has provided guidance and tools to support labour administration officials and employers in

¹⁸⁸ ILO, ILC.111/III(A).

¹⁸⁹ ILO, ILC.110/III(A); ILO, ILC.111/III(A).

¹⁹⁰ ILO, ILC.111/III(A), 586.

¹⁹¹ ILO, GB.347/INS/3, para. 114.

¹⁹² ILO, ILC.111/III(A).

¹⁹³ ILO, GB.347/INS/3, 29.

¹⁹⁴ ILO, ILC.110/III(A), 541.

¹⁹⁵ ILO, ILC.110/III(A), 552.

¹⁹⁶ ILO, ILC.110/III(A), 590.

¹⁹⁷ ILO, ILC.110/III(A), 611.

¹⁹⁸ ILO, ILC.110/III(A); ILO, GB.347/INS/3.

¹⁹⁹ ILO, ILC.111/III(A), 582.

²⁰⁰ ILO, ILC.111/III(A).

²⁰¹ ILO, ILC.110/III(A), 541.

²⁰² ILO, ILC.110/III(A), 557.

²⁰³ ILO, [Direct Request \(CEACR\)](#), 2022 (Spain).

²⁰⁴ ILO, ILC.110/III(A), 588.

²⁰⁵ ILO, ILC.110/III(A), 598.

²⁰⁶ ILO, ILC.111/III(A), 692.

²⁰⁷ ILO, ILC.110/III(A), 615.

²⁰⁸ ILO, [Pay transparency legislation: Implications for employers' and workers' organizations](#), 2022.

implementing equal remuneration provisions, including guidelines for employers to carry out objective job evaluations, as part of wider efforts to address a persistent gender pay gap.²⁰⁹

- 66. Improving conditions of work in the care economy.** Unpaid care work is among the main barriers to women's labour force participation and a driver of gender inequalities in the world of work. While some care jobs in the health or education sectors are highly paid, many others, including those of domestic workers, are characterized by informality and low pay. Women domestic workers earn roughly half the average monthly wages of other employees;²¹⁰ while nurses and midwives are usually paid less than the average for high-skilled workers.²¹¹ Improving conditions of work in the care economy, including through the principle of equal pay for work of equal value, is one of the priority policy areas of the Comprehensive and integrated ILO strategy to reduce and prevent inequalities in the world of work.²¹²
- 67. Legislation targeting discrimination on other grounds.** There were fewer examples of legislative initiatives to address discrimination on grounds other than sex, such as race, colour, religion or national extraction.²¹³ Nonetheless, some progress has been made in specific jurisdictions. Mongolia,²¹⁴ Sao Tome and Principe²¹⁵ and Zambia²¹⁶ have variously updated labour laws to expand the range of expressly prohibited grounds of discrimination in line with Convention No. 111,²¹⁷ while some have also expanded definitions and prohibitions against both direct and indirect forms of discrimination in relation to work.
- 68. Non-discrimination principles and rights in collective bargaining and collective agreements.** Collective bargaining and collective agreements played an important role in implementing non-discrimination principles and rights in practice, providing a good example of the mutually reinforcing nature of the fundamental rights. Almost two thirds of collective bargaining agreements reviewed for the *Social Dialogue Report 2022* included clauses aimed at promoting diversity and inclusion in the workplace, including explicit prohibitions against discrimination on multiple grounds and specific commitments to promote equal opportunities and treatment in practice.²¹⁸ Some collective bargaining agreements also include provisions to strengthen protections against and support survivors of violence and harassment at work.²¹⁹ Collective bargaining has also contributed to addressing gender pay gaps through collective wage

²⁰⁹ ILO, ILC.110/III(A), 549–551.

²¹⁰ The actual figure is 51.1 per cent. ILO, *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*, 2021.

²¹¹ Nurses and midwives are paid less than the average among high-skilled workers in 34 out of 49 countries. ILO, “Nurses and Midwives: Overworked, Underpaid, Undervalued?”, *ILOSTAT Blog*, 12 May 2023.

²¹² ILO, *Follow-up to the resolution concerning inequalities and the world of work (2021)*, GB.346/INS/5, 2022.

²¹³ ILO, CEACR in its *General Observation on the Discrimination (Employment and Occupation) Convention, 1958 (No.111)*, adopted in 2018.

²¹⁴ ILO, ILC.110/III(A), 541.

²¹⁵ ILO, *Observation (CEACR)*, 2023 (Sao Tome and Principe).

²¹⁶ ILO, ILC.110/III(A), 615.

²¹⁷ Convention No. 111 refers to the following grounds of discrimination: race, colour, sex, religion, political opinion, national extraction or social origin.

²¹⁸ ILO, *Social Dialogue Report 2022*, 100.

²¹⁹ For example, at a sectoral level, Portugal and Republic of Korea, and Viet Nam at a territorial level. ILO, *Social Dialogue Report 2022*, 96 and 99.

setting within and across enterprises and sectors,²²⁰ as well as setting objective job evaluation criteria to promote the implementation of equal remuneration principles.²²¹

69. **Extension of legal OSH protections to previously unprotected workers.** These included workers in the informal economy and sectors and occupations that were previously outside the scope of national OSH laws. Countries including Australia, Brazil and New Zealand have amended legislation so that OSH obligations transcend the employment relationship, thus extending legal protections to platform workers.²²² In Spain and in Pakistan's Punjab province, new legislation has extended OSH protections to domestic workers,²²³ while the Philippines' new OSH law is indicative of a growing number of legal and policy initiatives that give specific attention to OSH protections for young workers.²²⁴
70. **The adoption of national OSH policies and programmes.** Countries adopted new policies that variously include a focus on social dialogue and non-discrimination to reduce work-related risks (El Salvador), improved workplace safety through training and enhanced inspection activities (Malaysia), and the strengthening of regional and international partnerships on OSH (Saudi Arabia).²²⁵ Countries including Bangladesh and Ecuador adopted their first ever national OSH strategies in the period since the last recurrent discussion, with both programmes emphasizing prevention and increased awareness.²²⁶
71. **Improving the institutional mechanisms for promoting OSH standards.** Many OSH policies and plans focus on improving the institutional mechanisms for promoting OSH standards. This includes measures to improve cooperation among government departments that work on OSH, such as labour administration and social security, and to strengthen the capacity of labour inspection systems.²²⁷ For example, Peru has strengthened OSH protections by granting increased powers to labour inspectors to suspend operations and making severe OSH breaches a criminal offence and thus subject to harsher penalties.²²⁸ In some cases, programmes have focused on specific high-risk sectors. For example, a training programme in the Republic of Korea provided OSH training to an estimated 175,000 construction workers as part of efforts to improve OSH standards in the sector.²²⁹
72. **Supporting business responsibility to respect human rights, including fundamental principles and rights at work.** Currently, 30 Member States have published national action plans aligned with the UN Guiding Principles on Business and Human Rights,²³⁰ with similar processes under way in other countries. Several national action plans include a call for the ratification and/or

²²⁰ ILO, Social Dialogue Report 2022, 96.

²²¹ ILO, Social Dialogue Report 2022, 46.

²²² ILO, *World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work*, 2021, 196.

²²³ ILO, *The road to decent work for domestic workers*, 2023, 29.

²²⁴ ILO, *SafeYouth@Work Project Brief*, n.d., 6. Similarly, Guyana's new national OSH policy gives special consideration to specific categories of workers, including women, young people, people with disabilities and people living with HIV. See Government of Guyana, *National Policy on Occupational Safety and Health 2018*, 2019.

²²⁵ ILO, *Implementing a safe and healthy working environment*.

²²⁶ ILO, *Implementing a safe and healthy working environment*; see also new OSH strategies and plans in [Chile](#), [Côte d'Ivoire](#), [Madagascar](#), [Morocco](#) and the [Philippines](#).

²²⁷ ILO, *Safety + Health for All: An ILO Flagship Programme: Key facts and figures (2016-2020)*, 2020.

²²⁸ Government of Peru, *Law No. 31246*, 2021.

²²⁹ ILO, *Direct Request (CEACR)*, 2021 (Republic of Korea).

²³⁰ UN, *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, 2011.

improved application of international labour standards, especially the ILO fundamental Conventions. Some national action plans, such as those of Japan and Pakistan, explicitly reference the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and commit to promoting it.²³¹ More generally, the number of constituents using the MNE Declaration as a framework to address decent work priorities – including FPRW – has grown significantly since its 2017 revision.²³² Similarly, an increasing number of jurisdictions have adopted national legislation requesting private companies to take specific actions respecting human rights, including labour rights, in their operations. Most recent legislation in this domain includes express reference to the 1998 Declaration and/or the fundamental Conventions when setting out the rights issues that companies should address.²³³ In other cases, legislation includes a narrower focus on specific FPRW categories, such as forced labour or child labour. Several countries have also implemented regulations to ban the import of goods assessed as being produced with forced labour (Canada, Mexico, United States, European Union).²³⁴

- 73. Labour provisions in trade agreements.** Labour provisions in trade agreements are a widely used trade policy tool for promoting and enforcing compliance with FPRW. Based on data from the recently launched ILO Labour Provisions in Trade Agreements Hub,²³⁵ one in three (115 out of 364) regional trade agreements in force as of December 2023 included labour provisions, of which 87 refer to FPRW as articulated in the fundamental Conventions and/or the 1998 Declaration as the basis for the commitments adopted by parties to the agreements. Canada, the European Union and the United States are among the jurisdictions emphasizing FPRW as part of their trade policy. In 2022, the United States implemented a “worker-centred trade policy”²³⁶ that emphasizes the use of trade agreements, and the global trading system more generally, to advance workers’ rights. One of the objectives of EU trade strategy is to secure “broader commitments from partner countries than those in trade agreements of other international players”²³⁷, in particular commitments to ratify and implement ILO Conventions and to respect FPRW. In the United States and the European Union, this approach also applies to a broader range of developing country trade partners under the Generalised Scheme of Preferences Plus (GSP+).²³⁸ The EU-US Trade and Labour Dialogue has also focused on forced labour as a priority.²³⁹ Canada’s “inclusive approach to trade” seeks to advance labour priorities through

²³¹ ILO, *Taking stock five years after the adoption of the revised Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy*, GB.346/POL/5, 2022.

²³² For example, Côte d’Ivoire, Ghana, Jamaica, Nepal, Norway, Pakistan, Portugal, Senegal and Sierra Leone have appointed national focal points to promote the use of the MNE Declaration and Côte d’Ivoire has developed a national action plan to promote it.

²³³ See, for example, the Norwegian Transparency Act or the European Union’s Directive on Corporate Sustainability Due Diligence adopted by the European Parliament on 24 April 2024 and expected to be formally approved by the Council on 24 May 2024.

²³⁴ Bans in [Canada](#) and [Mexico](#) were implemented in part to align with obligations under the new United States-Mexico-Canada Agreement (USMCA). The US [Tariff Act of 1930](#) has included such provisions for many years, but they have been strengthened and actively enforced since 2016. Separately, the United States introduced the [Uyghur Forced Labour Prevention Act](#) in 2021 and, in March 2024, a [provisional agreement](#) on the proposal for a regulation on prohibiting products made with forced labour on the Union market was validated and needs final adoption by the European Parliament and the Council of the European Union.

²³⁵ ILO, “[Labour Provisions in Trade Agreements Hub](#)”, n.d.

²³⁶ Office of the United States Trade Representative, *Fact Sheet: 2021 President’s Trade Agenda and 2020 Annual Report*, 2021.

²³⁷ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – The power of trade partnerships: together for green and just economic growth*, COM/2022/409.

²³⁸ European Commission, “[Generalised Scheme of Preferences Plus \(GSP+\)](#)”, n.d.

²³⁹ Reflecting the shared objectives articulated in section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and complementary legislation in 2021, and the European Commission’s proposal to ban products made with forced labour from the EU market. Under

prioritization of trade benefits to under-represented groups. The European Union and the ILO have established a partnership through the Trade for Decent Work project ²⁴⁰ to support jointly identified EU trading partner countries in improving the application of the ILO fundamental Conventions.

- 74. Legal reforms linked to trade agreements.** Trade agreements have helped spur legal reforms and other action relating to FPRW. Important labour law reforms were recently undertaken in conjunction with the ratification of trade agreements in countries including Mexico (Convention No. 98), the Republic of Korea (Conventions Nos 29, 87 and 98) and Viet Nam (Conventions Nos 98 and 105). In other contexts, opportunities for social dialogue were created where they did not exist, for instance, in Guatemala under the Dominican Republic–Central America Free Trade Agreement (CAFTA-DR). Various means are used to achieve compliance, including dialogue and cooperation, the submission of complaints about alleged labour violations, and dispute settlement. ²⁴¹

2.1.2. Action by employers' and workers' organizations

- 75. Extending representation to under-represented groups.** Some trade unions took steps to amend internal policies and constitutions to expressly include under-represented groups of workers, including migrant workers ²⁴² and workers in the informal economy, ²⁴³ while others conducted outreach campaigns to boost recruitment and support self-organization among at-risk groups, including women migrant workers and domestic workers. ²⁴⁴ Employers' and business membership organizations in several countries similarly took steps to recruit and provide support to micro, small and medium-sized enterprises (MSMEs) and self-employed members. ²⁴⁵
- 76. Organizing workers and facilitating the inclusion of enterprises and workers in the informal economy in social dialogue and collective bargaining processes.** Employers' and workers'

the latter, the European Commission proposes the establishment of a Union Network Against Forced Labour Products (Art. 24) and a database of forced labour risks.

²⁴⁰ The project now covers the following countries in Asia: Bangladesh, Mongolia, Myanmar, Pakistan, Philippines and Viet Nam. The project also covers the following countries in Africa: Cabo Verde, Côte d'Ivoire, Ghana, Madagascar and Mozambique. In addition, the project also contributes to specific ad hoc activities in the following countries in Latin America: Ecuador and Peru. See ILO, "Trade for Decent Work Project", 2023.

²⁴¹ Marva Corley-Coulibaly, Gaia Grasselli and Ira Postolachi, *Promoting and enforcing compliance with labour provisions in trade agreements: Comparative analysis of Canada, European Union and United States approaches and practices* (ILO, 2023).

²⁴² For example, the Mozambique Workers' Organization–Central Union (OTM-CS) has taken steps to amend its constitution to include specific provisions on the protection of migrant workers' rights and has launched a project to enhance the participation of migrant workers in trade union training, social dialogue and collective bargaining at the company and branch levels. ILO, *Migrant Workers' Rights to Freedom of Association and Collective Bargaining*, 2023, 75.

²⁴³ For example, Uganda's National Organization of Trade Unions has decided to amend its constitution to expressly open up membership to workers in the informal economy. ILO, *Interactions between Workers' Organizations and Workers in the Informal Economy: A Compendium Of Practice*, 2019, 46.

²⁴⁴ For example, the Tunisian General Confederation of Labour (CGTT) added more than 1,500 new migrant workers to its membership over the two years of a development cooperation project with the ILO (FAIR project). In Malaysia, the International Domestic Worker Federation has coordinated a campaign to recruit and support self-organization among women migrant domestic workers in Malaysia. In Hong Kong, China, local domestic workers joined Filipino, Nepali and Thai migrant women to form the Federation of Asian Domestic Workers' Unions. ILO and UN Women, *Organizing women migrant workers: Manual for trade unionists in ASEAN*, 2021, 141; ILO, *Migrant Workers' Rights to Freedom of Association and Collective Bargaining*.

²⁴⁵ For instance, the Hellenic Confederation of Professionals, Craftsmen and Merchants, the National Federation of Traders and Caterers, and the Romanian Association of Building Entrepreneurs are examples of employers' and business membership organizations accepting self-employed workers as members. In Spain the Spanish Confederation of Self-Employed Workers (Confederación Española de Autónomos (CEAT)), was recognized as a member of the apex employers' organization (CEOE) in 2019, and represents more than 600,000 self-employed workers.

organizations in Togo have set up a permanent bipartite consultation committee to engage with enterprises and workers in the informal economy to support their progressive formalization.²⁴⁶ In Malawi, employers' and workers' organizations have engaged in negotiations at bipartite and tripartite levels on working conditions in sectors such as tobacco, with a high proportion of informal workers.²⁴⁷

- 77. Raising awareness of FPRW and extending support services to vulnerable groups through networks.** Several unions have undertaken outreach to workers in sectors with high levels of informality in the form of training and awareness-raising on issues such as FACB rights, OSH standards and social protection entitlements. Indonesian trade unions have focused outreach activities on workers in domestic work and construction, and on street vendors, in order to raise awareness about labour rights and social security entitlements. Trade unions in Benin have continued their outreach to informal workers through training and awareness-raising on issues such as OSH and financial management.²⁴⁸ The Ghana Employers' Association has expanded its outreach and support to informal enterprises through its affiliate the Council for Indigenous Business Associations, which represents informal entrepreneurs across different trades and occupations.²⁴⁹
- 78. Supporting efforts at the national level to combat forced labour and child labour, including in supply chains.** In Brazil, a collaboration between employers' organizations and rural workers' organizations provided training and capacity-building to farming households to raise incomes and reduce drivers of forced labour and child labour in rural communities.²⁵⁰ In Ghana, sectoral trade unions and employers' organizations worked with the Ghana Maritime Authority and the ILO to improve working conditions and reduce the risk of forced labour in the fishing industry, with a focus on implementing the provisions of the Work in Fishing Convention, 2007 (No. 188).²⁵¹ In countries including Honduras, Madagascar and Malawi, national employers' and workers' organizations have coordinated programmes to raise awareness of the risks of child labour in the vanilla, tobacco and coffee supply chains.²⁵²
- 79. Addressing discrimination and promoting diversity and inclusion in their membership and leadership.** In many countries, national social partner organizations have participated in the formulation and review of national equality and non-discrimination legislation and policies through national tripartite institutions.²⁵³ Many social partner organizations have also adopted their own policies and programmes to promote non-discrimination and inclusivity. Zimbabwe's National Union of the Clothing Industry has amended internal policies and structures to improve the representation of migrant workers and persons with disabilities in the union's own decision-making processes.²⁵⁴ Argentine employers' organizations achieved a significant increase in the number of women elected to leadership positions as part of a wider ILO-led project to enhance the visibility of women in business.²⁵⁵

²⁴⁶ ILO, *The role of social dialogue and the social partners in addressing the consequences of COVID-19 in the informal economy*, 2020, 3.

²⁴⁷ In the framework of ongoing ILO projects with social partners, for example including in Ghana's fishing industry.

²⁴⁸ ILO, *Interactions between Workers' Organizations and Workers in the Informal Economy*, 26.

²⁴⁹ ILO, "Ghana Employers' Association (GEA) and the ILO collaborate to foster transition to formality in the country", 2020.

²⁵⁰ ILO, *IPEC+ Global Flagship Programme: Towards a world free from child labour and forced labour*, 2024, 22.

²⁵¹ ILO, "Working Conditions of fishers are improving in Ghana", 2023.

²⁵² ILO, ILC.111/III(A), 514–516 and 521 (Madagascar, Malawi); ILO, *IPEC+ Global Flagship Programme*, 22 (Honduras).

²⁵³ ILO, ILC.111/III(B), para. 309.

²⁵⁴ Paliani Chinguwo, *Trade union revitalization: Experiences and key lessons from Southern Africa* (ILO, 2022).

²⁵⁵ ILO and UN WOMEN, *La mujer en la gestión empresarial: Cobrando impulso en Argentina*, 2019.

- 80. Promoting OSH standards.** During the COVID-19 pandemic, workers' and employers' organizations played a central role in coordinating national responses to the pandemic to ensure adequate protections for workers and businesses, and in providing direct support to their members, who faced unprecedented OSH challenges. This included support for some of the most vulnerable workers and small businesses, including workers and economic units in the informal economy, through targeted interventions such as MSME "support clinics" and tailored OSH guidance for self-employed workers in sectors such as domestic work.²⁵⁶ More generally, social partner organizations and their members monitor and support OSH standards at the enterprise level through workplace OSH committees, provide OSH training to members, and disseminate guidance and information on OSH risks and issues.

2.2. Office action in support of FPRW advancement

2.2.1. Overview

- 81. Constituents express generally high levels of satisfaction with ILO programmes and support relating to FPRW promotion.** The adoption of participatory approaches that allowed governments and workers' and employers' organizations to voice their priorities for Office support was critical in this regard. Also important was the alignment of Office development cooperation with national labour policies and related reform agendas, a focus on sectors important to the national economy and/or linked to high-profile economic, social, reputational or trade concerns, and a focus on high-profile cases before the ILO supervisory bodies. National constituents and ILO project staff cite improved knowledge and awareness and strengthened policy and legal frameworks as important Office intervention outcomes with potential to improve the application of the fundamental labour standards in the long run. These efforts helped sustain constituents' and other key stakeholders' FPRW promotional activities in many countries.²⁵⁷
- 82. At the same time, a number of important challenges affected the relevance and effectiveness of Office actions within the framework of the plan of action for the period 2017–23.** These included: insufficient attention paid to lower-profile problems or sectors not linked to external reputational, trade and investment concerns or to donor priorities (for example, child labour on family farms producing for subsistence or local markets); a preponderance of short-term projects, while effective constituent capacity-building requires a sustained, long-term investment and presence; and insufficient attention to the institutionalization of intervention strategies.²⁵⁸ Gaining traction for integrated approaches to FPRW promotion, and improving the balance, coherence and coordination of FPRW promotion across the Office, were also important challenges, as discussed in paragraph 85. Across all areas of Office action, a lack of adequate monitoring and evaluation systems has meant that robust evidence of impact is lacking.²⁵⁹

2.2.2. Internal coherence and synergies

Integrated approaches to FPRW promotion

- 83. The conclusions of the 2017 recurrent discussion stress the importance of integrated approaches to advancing FPRW in view of their mutually reinforcing and interdependent**

²⁵⁶ ILO, *The role of social dialogue and the social partners in addressing the consequences of COVID-19 in the informal economy*, 3.

²⁵⁷ Text in this paragraph is drawn from ILO, *Independent high-level evaluation of FPRW, 2018–23*.

²⁵⁸ ILO, *Independent high-level evaluation of FPRW, 2018–23*.

²⁵⁹ ILO, *Independent high-level evaluation of FPRW, 2018–23*.

nature (see also box 1).²⁶⁰ The plan of action called on the Office to support constituents to respect, promote, and realize FPRW *in an integrated manner* (emphasis added), while the Integrated Strategy on FPRW²⁶¹ was developed by the Fundamental Principles and Rights at Work Branch (FUNDAMENTALS) and subsequently validated by the Governing Body in late 2017.²⁶²

- 84. Yet implementing integrated approaches to FPRW in practice remains a challenge, as noted in the high-level evaluation.**²⁶³ Various factors have contributed to this result: the political sensitivities around several FPRW, such as FACB, forced labour and discrimination; the tendency for national constituents (and national policymaking processes) and development partners to deal with each FPRW category separately; and difficulties in ensuring effective coordination and coherence across the Office (see paragraph 87). While acknowledging these challenges, over the reporting period the Office has gained some useful insights into how to address them.²⁶⁴

► **Box 1. The importance of an integrated approach to advancing fundamental principles and rights at work**

The importance of integration in advancing FPRW is based on a straightforward yet frequently misunderstood premise – addressing deficits in one FPRW category requires tackling the root causes of these deficits, and, critically, these root causes *include deficits in one or more of the other FPRW categories*. In other words, FPRW are interdependent and mutually reinforcing, and progress in any one FPRW category requires understanding and accounting for the contributing role of the others. Yet deficits in one FPRW category cannot be explained *exclusively* by deficits in the other FPRW categories. An integrated approach, therefore, understood broadly, requires accounting for the mutually reinforcing nature of the five FPRW categories *as part of the wider set of root causes of FPRW deficits*.

Some examples of interdependences among the five FPRW categories are listed below. However, the specific nature and relative strength of the links among FPRW categories can vary considerably from one context to another, and integrated approaches should be informed by *context-specific* analyses of FPRW interdependences.

- Ensuring respect for workers' fundamental rights of FACB enables them to exert a collective voice to defend their shared interests, in turn rendering them resilient to the risks of other FPRW violations.
- Ensuring respect for FACB is a critical precondition for social dialogue, which is in turn vital to building lasting, consensus-based solutions to other FPRW concerns.
- Discrimination based on race, colour, sex, religion, political opinion, national extraction, social origin or any other ground, increases the risk that members of discriminated groups will end up in child labour or forced labour or will be deprived of voice and representation compared to non-discriminated groups.
- Children protected from child labour are more likely to acquire the skills and knowledge needed for decent work as adults, in turn reducing their risk in adulthood of suffering OSH violations, falling into situations of forced labour, experiencing discrimination in the workplace or having to send their own children to work.
- Adult breadwinners enjoying safe and healthy workplaces are likely to be more productive and more resilient to health shocks, in turn reducing the likelihood of their having to rely on child labour to ensure household survival.

²⁶⁰ ILO, [Resolution and conclusions concerning the second recurrent discussion on fundamental principles and rights at work](#).

²⁶¹ ILO, *Integrated Strategy on Fundamental Principles and Rights at Work 2017–2023*.

²⁶² ILO, *Follow-up within the Office to the resolution concerning fundamental principles and rights at work adopted by the 101st Session of the International Labour Conference (2012)*, GB.328/POL/7, 2016.

²⁶³ ILO, *Independent high-level evaluation of FPRW, 2018–23*.

²⁶⁴ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 51.

- Early intervention addressing OSH concerns can in some instances help prevent work situations from degenerating into situations of forced labour.
- Ensuring the OSH of children above the minimum working age is a critical strategy for protecting them from child labour.

85. There have been numerous examples of mainstreaming FPRW into Office programmes and activities addressing other ILO strategic objectives, providing an important body of experience for expanded efforts in this regard moving forward. Of particular significance was continued progress in integrating FPRW into the scope of Decent Work Country Programmes (DWCPs). The plan of action for the period 2017–23 included specific objectives to improve the integration of FPRW into new DWCPs, and this renewed focus has achieved important results, with 34 out of the 42 searchable DWCP documents analysed by the high-level evaluation including at least one reference to each FPRW category. In the area of social protection, the ILO's current plan of action on social protection for the period 2021–26 expressly recognizes that efforts to achieve universal rights-based social protection go hand in hand with respect for FPRW.²⁶⁵ The Office has led action at the national level, notably in Africa, with a particular focus on social protection programmes as a means of reducing household vulnerability to child labour.²⁶⁶ In the area of social finance, a series of guidance notes were produced on how to deploy social finance to accelerate the elimination of child labour, which have been piloted in the ACCEL Africa Project.²⁶⁷ In conflict-affected countries, the Programme on Jobs for Peace and Resilience recognizes social dialogue, institution building and respect for FPRW as integral to the generation of decent employment opportunities that can support peacebuilding.²⁶⁸ The Integrated Programme on Fair Recruitment – a collaboration between FUNDAMENTALS and the Labour Migration Branch (MIGRANT) – aims to reduce deceptive and coercive practices related to the recruitment of migrant workers that lead to violations of FPRW. The joint ILO–International Finance Corporation (IFC) Better Work programme has produced guides and assessment tools to promote the realization of all FPRW at the enterprise level, with demonstrable improvements in factories participating in the programme (see box 2).²⁶⁹

► Box 2. Better work

Better Work, a partnership between the ILO and the IFC, works with governments, employers' and workers' organizations, brands, factory owners and workers to promote decent work and competitiveness in the global garment industry. Better Work uses assessments of workplace compliance to facilitate factory level dialogue between management and workers and help promote FPRW. Better Work makes this data broadly available to constituents and other industry stakeholders to inform discussions on key decent work deficits.

Improving working conditions in Viet Nam and Indonesia through social dialogue

Better Work has emphasized effective social dialogue and sound industrial relations as key to improving working conditions and competitiveness in the sector. Better Work data shows that workers in factories with well-functioning bipartite committees report fewer incidents of verbal abuse and better OSH environments. Workers in Better Work factories are more likely than peers in non-Better Work garment

²⁶⁵ ILO, *Matters arising out of the work of the 109th Session (2021) of the International Labour Conference*, GB.343/INS/3/1, 2021.

²⁶⁶ ILO and UNICEF, *The role of social protection in the elimination of child labour*.

²⁶⁷ ILO, *Accelerating action for the elimination of child labour in supply chains in Africa*, 2023.

²⁶⁸ Visit the website of the ILO's Flagship Programme on Jobs for Peace and Resilience.

²⁶⁹ ILO and IFC, *Understanding impact: Research insights from Better Work 2017–2022*, 2022. ILO and IFC, *Progress and potential: How Better Work is improving garment workers' lives and boosting factor competitiveness*, 2016.

factories in Indonesia and Viet Nam to feel comfortable seeking help from trade unions, supervisors and human resources staff. Independent research has shown a stronger compliance effect where factories have a collective agreement in place.¹ Workplaces where collective agreements are present and effectively implemented maintain better OSH compliance than those without agreements – including for OSH management systems, worker protection protocols, and health facilities and first aid.²

Closing the gender pay gap and reducing sexual harassment at work

Better Work has helped partially close the gender pay gap observed in the industry. In Viet Nam, 85 per cent of the identified pay gap between men and women was narrowed as a result of efforts to ensure compliance with pay regulations. Firm engagement with the programme has reduced the likelihood of sexual harassment at the workplace. In Cambodia, this was found to be attributable to improved wage compliance that has resulted in better-aligned pay structures between workers and managers. In other contexts, including in Jordan, training has led to increased awareness of issues, leading to a reduction in certain observed behaviours, such as vulgar and offensive language at the workplace.

¹ Luisa Lupo, and Anil Verma, *Labour standards compliance in the global garment supply chain: Evidence from ILO's Better Work Program on the Role of Unions and Collective Bargaining*, (ILO-IFC Better Work Discussion Paper 37, 2020). ² ILO, *Social Dialogue Report 2022*.

86. Experience points to the value of a “single entry point” approach that focuses on one FPRW category to open the door for subsequent engagement on other FPRW categories.

Constituents' sensitivities about acknowledging or discussing the presence of deficits in certain FPRW categories can hinder integration in some contexts. In view of this constraint, the Office has effectively used efforts against child labour – for which there is generally broad consensus and strong political support – as an entry point to wider engagement with constituents on more politically and socially sensitive FPRW issues. In Uzbekistan, for example, the ILO supported action to address child labour and then was able to expand its scope of action. Similarly, in the Philippines and Viet Nam, a child labour policy was used as an entry point to also address challenges related to discrimination and FACB rights.²⁷⁰ The Office has leveraged initiatives and actions in respect of migration governance, HIV/AIDS and cooperatives development – on issues such as forced labour, discrimination and FACB rights, respectively.²⁷¹ Looking forward, OSH is another area for which there is broad political support, and the recognition of OSH as a fifth FPRW category therefore offers another strong entry point for integrated interventions on FPRW, and more specifically on FACB.

► Box 3. Scalable integrated models of FPRW promotion in cotton supply chains

Between 2018 and 2023, through the implementation of the ILO/INDITEX PPP Project on promoting FPRW in the cotton supply chain in Pakistan and India, two distinct scalable models have emerged for the promotion of an integrated approach to FPRW, using different entry points to tackle child labour in cotton supply chains.

In the case of India, a top-down approach was used, starting with the responsible state secretaries and gradually cascading to the district and community levels. The approach embraced a five-pronged strategy, comprising advocacy, social dialogue, collective action, integration and sustainability – resulting in the recognition of the foundational role of women in agriculture, the improvement of working conditions for cotton workers, and agreement that FPRW constitute the cornerstone of sustainable agriculture.

Alternatively, in Pakistan a bottom-up approach was used, by engaging directly with the cotton growing communities. The project embraced a four-pronged strategy, focusing on awareness-raising, capacity-

²⁷⁰ ILO, *ILO programme implementation 2018–19: Decent work results*, GB.338/PFA/1, 2020.

²⁷¹ ILO, *Independent high-level evaluation of FPRW, 2018–23*.

building, advocacy and sustainability, which resulted in the formation of two new trade unions in the cotton sector, empowering workers in the communities to ensure their fundamental rights.

► Box 4. Addressing forced labour in the fishing sector

The fishing sector is an important priority because of the unique vulnerabilities to forced labour and other FPRW deficits facing fishers. The ILO's decent work approach to the sector has yielded tangible outcomes at the national, regional and global levels.

At the national level, in countries including Ghana, Indonesia and South Africa, trade union networks have been established to harmonize and improve protection for fishers, and employers' labs have been set up to facilitate sector-wide collaboration and experience exchange on improving labour standards and working conditions for fishers. Coordination mechanisms have also been put in place by labour, maritime safety and fisheries inspectors to ensure understanding of forced labour indicators and to expand the outreach of inspections to labour conditions, a practice that remains rare in the sector.

Other areas of ILO country-level support in the fishing sector include:

- Capacity-building, in countries including South Africa, involving fisheries authorities, maritime authorities, labour inspectorates and social partners, aimed at improving labour inspection on board national and foreign flagged fishing vessels, especially on the detection of forced labour.
- Supporting social dialogue, such as in Ghana, where a tripartite committee on working conditions and the elimination of forced labour in the fishing sector was established. Efforts in Ghana led to the issuance of shipping notices that prohibited vessels from going to sea until required refurbishments had been carried out in line with Convention No. 188. It also led to the issuance of individual work agreements to workers and to an increase in their wages.
- Awareness-raising and support services for migrant fishers, such as pre-departure information, paralegal assistance and support for accessing grievance mechanisms, including through Migrant Worker Resource Centres in key destination and origin countries, such as Cambodia, Indonesia, Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam.

At the regional level, the ILO is supporting the incorporation of labour rights into the mandates and agendas of regional fishery bodies and regional fisheries management organizations. One example of this is the memorandum of understanding signed by the ILO and the Fisheries Committee for the West Central Gulf of Guinea, which is currently in the process of drafting a protocol on decent work in fishing that covers all FPRW.

At the global level, the ILO, in conjunction with labour inspectorates and social partners, is supporting digital technology actors in adapting the tools they use to detect illegal fishing to instead detect forced labour at sea. The ILO has also partnered with various actors, including the University of Geneva and the Global Business School Network, in the development of teaching resources for business and journalism schools, in an effort to reach future journalists and business managers with key information on decent work and FPRW, including in the fishing sector.

Office-wide collaboration and coordination in FPRW promotion

- 87. There is scope for improved operational synergies and coordination in FPRW promotion across the Office.** The plan of action for the period 2017–23 underscored the importance of intensifying collaboration across the Office in order to ensure a coherent “One ILO” approach to advancing FPRW. The Integrated Strategy on FPRW²⁷² was developed by FUNDAMENTALS with this goal ostensibly in mind. Yet the high-level evaluation concluded that joined-up, “One ILO” initiatives for advancing FPRW were rare during the reporting period. The Integrated Strategy on

²⁷² ILO, *Integrated Strategy on Fundamental Principles and Rights at Work 2017–2023*.

FPRW was not widely used as an Office-wide road map for action, primarily because there was not enough consultation across the Office on its design to elicit broad ownership.²⁷³ Moving forward, as discussed further in Chapter 3, it is critical for improved coherence that roles and mandates for FPRW promotion are clarified and effectively communicated within the Office.

- 88. A related matter of concern is the uneven distribution of development cooperation funding among FPRW.** The high-level evaluation notes in this regard that the FACB development cooperation portfolio, in particular, was limited and did not significantly expand over the reporting period.²⁷⁴ The imbalance is illustrated in the breakdown in development cooperation funding by FPRW category. Child labour and forced labour absorb the lion's share of total development cooperation funding (over 60 per cent), and non-discrimination and FACB the smallest.²⁷⁵ Increasing overall development cooperation funding for FPRW promotion, and in particular funding for the FPRW categories that have hitherto received less donor support, will be critical to broader progress in advancing FPRW.

Linking technical cooperation to the ILO supervisory bodies

- 89. There is scope for greater synergies between the supervisory bodies and the technical cooperation of the Office.** The high-level evaluation concluded that “the intersection between the ILO’s supervisory body and development cooperation activities remained relatively narrow; cases were few where significant deficits in FPRW noted by the supervisory bodies led to large-scale, holistic development cooperation responses.”²⁷⁶ In several notable cases, however, the ILO’s supervisory mechanisms have provided the starting point for targeted development cooperation at the national level, helping to identify key challenges in specific national contexts and to coordinate requests from constituents for ILO support. For example, as part of the negotiated resolution to a complaint brought before the Governing Body, the ILO launched its long-term and ongoing development cooperation with Qatar, which has achieved progress in addressing issues related to forced labour. Encouraging initial steps towards freedom of association have also been taken in this context. A 2019 complaint before the Governing Body – concerning, inter alia, the implementation of Conventions Nos 87 and 98 – led national constituents in Bangladesh to request ILO technical assistance to develop and implement a road map of actions to address the issues raised.²⁷⁷ Recent technical assistance to support the revision of Kazakhstan’s labour laws also responded to concerns expressed by the ILO’s Committee on the Application of Standards (CAS).²⁷⁸ In the case of Guatemala, the Governing Body closed an article 26 complaint in 2018 and requested the Office to develop and implement a technical cooperation programme. This programme still requires funds to be fully implemented. These and

²⁷³ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 51.

²⁷⁴ ILO, *Independent high-level evaluation of FPRW, 2018–23*.

²⁷⁵ A number of caveats, however, apply in interpreting these figures, due to the change in policy outcomes over the period under review. The selected outputs for this analysis—1.4, 6.2, 6.3, 6.4, 7.1, and 7.2—correlate with key FPRW areas over the 2020–21 and 2022–23 biennia only. The ILO’s results-based management framework limits the direct tracing of all development cooperation funds to each FPRW; therefore, the chosen outputs, funded by development cooperation and fulfilled by the Office, are indicative of the engagement in FPRW. Output 7.1 directly links to child labour and forced labour, and output 7.2 links to occupational safety and health. In contrast, outputs 6.2, 6.3, and 6.4, have been applied to non-discrimination and 1.4 to freedom of association and collective bargaining, though they may capture a broader range of activities.

²⁷⁶ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 9.

²⁷⁷ ILO, *High-level independent evaluation of the ILO’s Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan, 2018–21*, 48 (Bangladesh).

²⁷⁸ ILO, *CAN/Kazakhstan/PV.11*, 2022.

other examples point to the broader value and importance of synergies between the work of the supervisory bodies and the technical cooperation of the Office.

2.2.3. Areas of Office technical assistance

90. The plan of action for the period 2017–23 called on the Office to enhance the capacity of constituents to address ratification and implementation gaps in respect of FPRW at the national level. The Office has supported national constituent efforts to advance FPRW through various means, including technical assistance for legislative reform and policy development, capacity-building for key public institutions, research, and convening national constituents and other national and international stakeholders engaged in work related to FPRW. This section provides illustrative examples of Office support in these areas.
91. **Support for legislative reforms concerning FACB.** This included contributions to the amendment of the Labour Code on provisions related to trade union registration and unfair labour practices in Bangladesh,²⁷⁹ and to the recent revision of Romania's social dialogue legislation. The latter resulted directly from an ILO technical assistance mission following a request by the CAS.²⁸⁰ In Qatar, Office technical assistance helped strengthen worker-management joint committees, fledgling structures for social dialogue at the workplace level in the absence of independent trade unions, as well as supported the development of legislation that provides for the election of workers' representatives, who can include migrant workers. As of 2022, more than 70 private companies had established joint committees in Qatar, providing representation for more than 50,000 workers.²⁸¹
92. **Support to strengthen workers' and employers' organizations at the national level.** The focus of cooperation with social partners responds to local needs and contexts but has the overarching aim of enhancing the capacity of social partners to defend and promote their members' interests, including in relation to FPRW. The Office helped increase the capacity of social partners in several Central Asian countries, including support for the creation of a new independent employers' organization in Uzbekistan and support for the efforts of workers' and employers' organizations in Kyrgyzstan and Uzbekistan to affiliate internationally.²⁸² In Iraq, the Office has trained workers' and employers' representatives for the roles of labour inspection, OSH and FPRW, through gender-mainstreamed training programmes and awareness-raising.²⁸³ In Ethiopia, the SIRAYE programme strengthened 18 new trade unions across 18 factories, thereby enhancing the framework for collective bargaining at the enterprise level.²⁸⁴
93. **Support for strengthened policy frameworks on child labour and forced labour.** The ILO provided strong support to constituents on strengthening policy frameworks on child labour and forced labour. Across the 2018–19 and 2020–21 biennia, 40 Member States developed national action plans on child labour or forced labour. This effort was bolstered by the progress of Alliance 8.7, under which Member States committed to national action plans on child labour and

²⁷⁹ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka and Pakistan, 2018–21*, 47 – see also analysis of ILO cooperation in light of CEACR 2020 comments here: ILO, *ILO Brief: Labour Administration in Bangladesh: Department of Labour (DoL)*, 2020.

²⁸⁰ ILO, *CAN/PV.14*, 2021 (Romania).

²⁸¹ ILO, *Labour reforms in the State of Qatar: Coming together around a shared vision*, 2022.

²⁸² ILO, *High-level independent evaluation of the ILO's Decent Work Country Programme in Central Asia, 2018–22*, 2022 69.

²⁸³ ILO, "Enhancing labour governance, inspection and working conditions in response to COVID-19", n.d.

²⁸⁴ See ILO, "SIRAYE: A programme on Advancing Decent Work and inclusive industrialization in Ethiopia", n.d.

forced labour as part of their commitment as Pathfinder Countries.²⁸⁵ The Bridge Project, funded by the US Department of Labor, for instance, contributed to the development of a total of ten policies, national action plans or legislative reforms on forced labour in Malaysia, Mauritania and Peru.²⁸⁶ In Mauritania, the Bridge Project saw the adoption in 2021 of a joint ministerial circular reinforcing the application of the anti-slavery law, and established social dialogue frameworks in the fishing, domestic work and livestock sectors, resulting in a renewed focus on collective bargaining and freedom of association linked to livelihoods strategies in these sectors.²⁸⁷ The ILO has also promoted subregional and municipal action plans, although some key informants to the high-level evaluation cited this as an area where greater efforts are needed.

- 94. Support for the establishment or updating of lists of hazardous work prohibited for children.** This represents an important strategy for combating child labour among children above the legal working age, a group that is in child labour because of their exposure to hazardous conditions. In Colombia and Malaysia new hazardous work lists included domestic work, recognizing its particular risk for children's safety, health and well-being.²⁸⁸ In Mali, amendments to the Labour Code set maximum weights for loads carried by children of different ages, enhancing protections against hazardous work in sectors such as agriculture, mining and construction.²⁸⁹ In Peru, ILO OSH specialists provided significant technical inputs to the third update of its list of hazardous work for children, an example of integration in Office action in the areas of OSH and child labour. Other legislative efforts to address the worst forms of child labour include stronger legal definitions and penalties related to child commercial sexual exploitation and child victims of trafficking in persons.²⁹⁰
- 95. Support to address the heightened risks of child labour and forced labour in fragile and conflict-affected situations.** In Ukraine, the Office supported the Labour Inspectorate to carry out an awareness-raising campaign on the risks of labour exploitation and trafficking for refugees and internally displaced persons fleeing the armed conflict, in close collaboration with national social partners.²⁹¹
- 96. Support to mainstream gender equality and other non-discrimination considerations into development cooperation interventions at the national level.** In Viet Nam, the ILO's technical support through the Safe and Fair, TRIANGLE in ASEAN, and Ship-to-Shore regional migration programmes contributed to the revision of legislation covering Vietnamese workers overseas.²⁹² In other countries, the Office has promoted the integration of gender equality and other non-discrimination elements into wider national strategies, policies and programmes, such as integrating non-discrimination rights (including in relation to gender and disability) into Uzbekistan's gender equality strategy and the DWCP, as well as into draft national social protection and employment policies and programmes.²⁹³ The Office's country-level work on the care economy in countries including Argentina, Jordan and Peru was another important means of

²⁸⁵ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 64.

²⁸⁶ US Department of Labor, *From Protocol to Practice: A Bridge to Global Action on Forced Labour, Final Evaluation Brief*, 2023.

²⁸⁷ US Department of Labor, *From Protocol to Practice*.

²⁸⁸ ILO, ILC.110/III(A); ILO, ILC.111/III(A).

²⁸⁹ ILO, ILC.111/III(A), 526.

²⁹⁰ For example, Eswatini and Nepal. ILO, ILC.111/III(A).

²⁹¹ ILO, "Prevention through information: ILO campaign on Ukrainian railways to prevent labour exploitation among refugees", 12 April 2022.

²⁹² ILO, *Independent high-level evaluation of FPRW, 2018–23*, 75.

²⁹³ ILO, *High-level independent evaluation of the ILO's Decent Work Country Programme in Central Asia, 2018–22*.

addressing gender equality. The Office continued to build on its work on HIV and AIDS prevention at the workplace and ending HIV-related stigma and discrimination. Special emphasis was placed on reaching out to key populations and populations vulnerable to HIV infection that often face discrimination also on grounds such as race, gender or sexual orientation and gender identity. Focus was placed on reducing vulnerabilities and enhancing employability of these vulnerable groups through economic empowerment, skills enhancement, entrepreneurship advancement and support to business development (using the ILO's Start and Improve Your Business model) and promotion of HIV-sensitive social protection.

97. **Support for other legislative reforms to bring national law more in line with fundamental Conventions on non-discrimination.** The Office supported Pakistan's efforts to draft a new non-discrimination law through gap analysis of existing legislation against Conventions Nos 100 and 111.²⁹⁴ In Viet Nam, the ILO provided technical support for reforms of the Labour Code to address gender stereotypes and occupational segregation, and to define the bases of discrimination for the first time.
98. **Support to mainstream non-discrimination considerations into interventions in fragile and conflict-affected situations.** The focus is in recognition of the fact that grievances based on inequality are a key driver of conflict.²⁹⁵ Employment and livelihood programmes in the Central African Republic, Lebanon, Mali, Mauritania, the Philippines and Sri Lanka have variously included a focus on promoting access to employment opportunities for groups that face discrimination and other barriers to the labour market, including women, refugees and certain ethnic groups.²⁹⁶
99. **Support to strengthen legislation and policy in relation to OSH in development cooperation programmes.** The ILO's Flagship Programme Safety + Health for All has been a key programme through which these interventions have been offered at the national level, benefiting over 182 million workers in 23 countries. Technical assistance under the programme has contributed to eight Member States adopting new OSH laws and regulations since 2016, nine new OSH policies and programmes, and seven Member States in which constituents have ratified or initiated the ratification procedure on OSH Conventions (Convention No. 155, the Occupational Health Services Convention, 1985 (No. 161), and Conventions Nos 187 and 190).²⁹⁷ Notable examples include the Philippines' new OSH law and implementing regulations, which expressly cover workers in the informal economy, and Argentina's new national OSH action plan, focusing on the safety and health of young workers.²⁹⁸
100. **Support to advance OSH standards among at-risk workers in agriculture and the informal economy.** In Madagascar, the Office trained labour inspectors and contributed to efforts to expand OSH services for workers in the informal economy, as well as partnering with the WHO to strengthen OSH systems and practices in the lychee supply chain.²⁹⁹ In Bangladesh, the Office helped train labour inspectors on structural, fire and electrical OSH issues for the ready-made

²⁹⁴ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan, 2018–21*, 54.

²⁹⁵ ILO, *Jobs for Peace and Resilience: An ILO flagship programme, Key facts and figures*, 2021; and ILO and UN Department of Political and Peacebuilding Affairs, *Sustaining peace through decent work and employment*, 2021.

²⁹⁶ ILO, *Jobs for Peace and Resilience*.

²⁹⁷ ILO, *Safety + Health For All: Programme evaluation, 2016–2023*, 2023.

²⁹⁸ ILO, *Safety + Health for All: An ILO Flagship Programme*, 17–18.

²⁹⁹ ILO, *"Improving safety and health in Madagascar global supply chains (VZF): Final report"*, 2020.

garment and other industrial sectors,³⁰⁰ and it similarly coordinated tailored OSH training for SMEs in Pakistan's garment sector.³⁰¹ In Mauritania, interventions to boost employment for young people in conflict-affected areas included dissemination and promotion of good practices in terms of OSH.³⁰²

- 101. Support to build the capacity of labour inspectorates to promote FPRW.** Examples include: support for the development of standard operating procedures for labour inspectors regarding the application of the revised Labour Code (Bangladesh);³⁰³ the development of standard operating procedures and training on grievance handling and OSH measures (Pakistan);³⁰⁴ and the design of new protocols for inspection and inter-agency information sharing concerning child labour (Trinidad and Tobago).³⁰⁵ The Office has provided tailored support to national labour inspectorates to strengthen strategic approaches and inspection practices related to the prevention, detection and resolution of FACB violations in specific local contexts.³⁰⁶ A programme to train labour inspectors in Colombia focused on labour administration procedures and identifying cases of disguised employment, issues identified as key barriers to effective enforcement of FACB laws.³⁰⁷ In Egypt, judges received dedicated training on international labour standards at the International Training Centre of the ILO (Turin Centre),³⁰⁸ including a particular focus on FACB rights.
- 102. Technical assistance and capacity-building on addressing child labour and forced labour in supply chains.** Efforts focused in particular on the level of production and extraction of raw materials, including in the cacao, chestnut, cobalt, coffee, cotton, gold, hazelnut, mica, palm oil, sugar cane, tea, vanilla, wheat and recycling sectors. A growing number of development cooperation projects, particularly on child labour in supply chains, have accelerated support to tackle the root causes of the problem by addressing decent work deficits affecting young people and adults in vulnerable communities through increased access to social protection and vocational training, and by further integrating interventions that include two or more FPRW. This approach is benefiting a wide range of actors in the agro-industry, garment-cotton, mining and fishing supply chains, and in many cases it involves a close partnership with other UN agencies.
- 103. Promoting FPRW and compliance capacity in business operations and supply chains.** The ILO Global Business Network on Forced Labour, launched in June 2018, focuses on engaging SMEs, providing support and resources to companies and their representative organizations, such as

³⁰⁰ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan, 2018–21*, 47.

³⁰¹ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan, 2018–21*, 54 (Pakistan). The initiative is part of the ILO's International Labour and Environmental Standards Application in Pakistan's SMEs (ILES) programme.

³⁰² ILO, *Jobs for Peace and Resilience*, 16.

³⁰³ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan 2018–21*, 47.

³⁰⁴ ILO, *High-level independent evaluation of the ILO's Decent Work Programme in Bangladesh, Nepal, Sri Lanka, and Pakistan 2018–21*, 58.

³⁰⁵ ILO, *Strategic Compliance Planning in action*, 21.

³⁰⁶ ILO, *Building a culture of workplace compliance through development cooperation*.

³⁰⁷ ILO, *Building a culture of workplace compliance through development cooperation*. This also included the creation of a checklist for labour inspectors of conduct prejudicial to freedom of association.

³⁰⁸ In addition to training for labour judges, the Turin Centre offers regular training to build capacity of labour inspectors around the world, including modules focused on FACB. See, for example: ILO, *The role of labour inspection in ensuring compliance with the fundamental principles and rights at work*, Information Note, 2022.

the Due Diligence Toolkit for Fair Recruitment,³⁰⁹ creating a platform for coordination and collaboration, and engaging policymakers globally and in countries such as Malaysia, Mexico and Viet Nam. In 2022, the Global Business Network directly reached more than 2,000 business stakeholders, raising their awareness and providing training.³¹⁰ In 2022, a memorandum of understanding designed to strengthen collaboration on business and human rights education was signed by the ILO, the Global Business School Network and the Geneva School of Economics and Management of the University of Geneva. The ILO Child Labour Platform is a critical vehicle for private sector engagement on child labour in supply chains. The Platform has guided over 200 businesses in their efforts to advance decent work and end child labour in supply chains. With its business members, the Child Labour Platform established country working groups for Côte d'Ivoire, the Democratic Republic of the Congo, India and Uganda. In 2023, the Governments of these countries and multinational enterprises belonging to the Platform agreed on a set of priority areas for collaboration to tackle the root causes of child labour in supply chains, including climate change.

2.2.4. Research and statistics

- 104. The Office's research, statistics and knowledge-building work on FPRW is a recognized centre of excellence.**³¹¹ A series of global-level ILO research reports have helped to raise awareness and influence action on FPRW. In 2019, ILO FUNDAMENTALS, in conjunction with UNICEF, the IOM and the OECD, produced *Ending child labour, forced labour and human trafficking in global supply chains*, a first ever attempt to measure these human rights abuses and violations in supply chains on a large scale. The reports *Child Labour: Global estimates 2020, trends and the road forward* and *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* were produced in 2021 and 2022, respectively, to broad media coverage and discussion. In 2021, alongside the WHO, the Office published *WHO/ILO Joint Estimates of the Work-related Burden of Disease and Injury 2000–2016*, which offers recommendations for policymakers and practitioners of OSH.³¹² A global report on workplace discrimination based on HIV status was also published in 2021 to inform and galvanize action on reducing HIV-related stigma and discrimination.³¹³ In 2022, the Office published the first flagship *Social Dialogue Report*, which focused on collective bargaining trends at the global level, with particular reference to the COVID-19 pandemic.³¹⁴ In 2023, the Office published *A Review of Wage Setting through Collective Bargaining*,³¹⁵ aimed at supporting the social partners at the country level by providing them with additional tools and information that can be used in the course of their own negotiations.
- 105. ILO data underpins technical support provided to constituents, provides data to monitor global progress toward relevant SDGs and is a key reference for national legislative and policy formulation.** The Industrial Relations Data (IRdata)³¹⁶ database provides users with information on trends in trade union density and collective bargaining coverage. The ILO Legal

³⁰⁹ ILO Global Business Network on Forced Labour, *"The Due Diligence Toolkit for Fair Recruitment"*, 2023.

³¹⁰ ILO Global Business Network on Forced Labour, *Annual Report January-December 2022*, 2022.

³¹¹ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 12, "The ILO excelled in conducting research and knowledge-sharing on FPRW and adapted well during the COVID-19 pandemic, assisting tripartite constituents in addressing labour rights issues."

³¹² ILO and WHO, *WHO/ILO Joint Estimates of the Work-related Burden of Disease and Injury, 2000–2016*.

³¹³ ILO, *The ILO Global HIV Discrimination in the World of Work survey*.

³¹⁴ ILO, *Social Dialogue Report 2022*.

³¹⁵ ILO, *A Review of Wage Setting through Collective Bargaining*, 2023.

³¹⁶ ILO, *"Industrial Relations Data (IRdata)"*, ILOSTAT Database Description, accessed 18 December 2023.

Database on Industrial Relations (IRLex)³¹⁷ has successfully moved from its pilot phase, with comparative information on the regulatory framework for industrial relations updated for 68 countries in 2021. In 2021, the Equal Pay International Coalition (EPIC) launched its Equal Pay Around the World database³¹⁸ with ILO support, focusing on equal pay legislation and policies in more than 106 countries. The ILO Child Labour Statistics (CHILD) database³¹⁹ provides national statistics for a range of child labour indicators.

- 106. Research and data collection at the national level have helped advance FPRW by drawing political attention to FPRW issues and informing the design of national policies and legislation.** In Malawi, FUNDAMENTALS supported a quantitative survey of the tenancy labour system, contributing to improving the Government's understanding of the system and informing actions to abolish it. In Niger, ILO support for a survey on forced labour provided an entry point for policy dialogue on the issue. In Mongolia, an ILO-led child labour prevalence survey prompted a new provision in the law on statistics calling for a stand-alone child labour survey every five years, allowing the country to regularly monitor progress against child labour.
- 107. The Office has continued efforts to build tools, methods and the capacity necessary for constituents to collect data and undertake research on FPRW.** The Office has undertaken substantial methodological work relating to the measurement and monitoring of SDG indicator 8.8.2 on labour rights in its role as custodian agency for this indicator.³²⁰ The Office developed detailed guidance for tripartite constituents on gathering data on trade union membership, on the coverage of collective bargaining agreements, and on strikes and lockouts.³²¹ An Office technical paper reflects on possibilities for capturing the practice of the traditional occupations of indigenous and tribal peoples in labour statistics.³²² The Office developed a replicable survey methodology to collect statistically representative and disaggregated data on decent work and FPRW in different tiers of supply chains and piloted it in the context of the electronics supply chain in Viet Nam.³²³ The Research to Action project, funded by the US Department of Labor and launched in collaboration with the IOM, has developed a number of key tools to support research efforts on child labour, forced labour and trafficking in persons.³²⁴ Other research tools on forced labour and child labour have been tailored to a range of stakeholders, including businesses,³²⁵ journalists³²⁶ and Member States. The Office has also continued training constituents in data collection and use of data for policy formation on FPRW. The ILO and the African Union Commission recently partnered to empower African States in the collection, processing and analysis of child labour statistics.³²⁷
- 108. These and other efforts notwithstanding, much more needs to be done in terms of data collection on FPRW.** Data availability and quality on trade union density rates and collective bargaining coverage rates, for example, varies greatly across countries. Data collection on child

³¹⁷ ILO, "Legal Database on Industrial Relations", IRLex, accessed 18 December 2023.

³¹⁸ EPIC, "Equal Pay Around the World", n.d.

³¹⁹ ILOSTAT, "Statistics on child labour".

³²⁰ ILO, Resolution concerning the methodology of the SDG indicator 8.8.2. on labour rights, ICLS/20/2018/Resolution II, 2018.

³²¹ ILO, *Guidebook on how and why to collect and use data on industrial relations*, 2020.

³²² ILO, *Traditional Occupations of Indigenous and Tribal Peoples in Labour Statistics*, 2023.

³²³ ILO, *Decent Work Supply Chain Survey – Pilot on the electronics supply chain in Viet Nam*, 2023.

³²⁴ ILO's "From Research to Action" project web page.

³²⁵ ILO, "Tools and resources for business on child labour", 15 July 2019.

³²⁶ ILO, *Reporting on forced labour and fair recruitment: An ILO toolkit for journalists in Viet Nam*, 2020.

³²⁷ ILO, "Tackling child labour in Africa through national capacity building", 21 July 2023.

labour at the country level needs to be extended, regularized and made sustainable. Robust country-level data on forced labour prevalence has hitherto only been available for a small number of countries³²⁸ and would benefit from being mainstreamed into national statistical programmes. Although availability of data on disability has improved considerably over the years, there are still significant gaps in statistics on workers with disabilities, particularly in respect of population-level data on disability status. National data collection efforts relating to many other dimensions of discrimination are still in their infancy. Reliable data on occupational injuries and diseases is missing in many countries, with fewer than 50 per cent of Member States reporting statistics on work injuries to the Office. There are also ongoing knowledge gaps in relation to certain groups of workers, including indigenous and tribal peoples.³²⁹

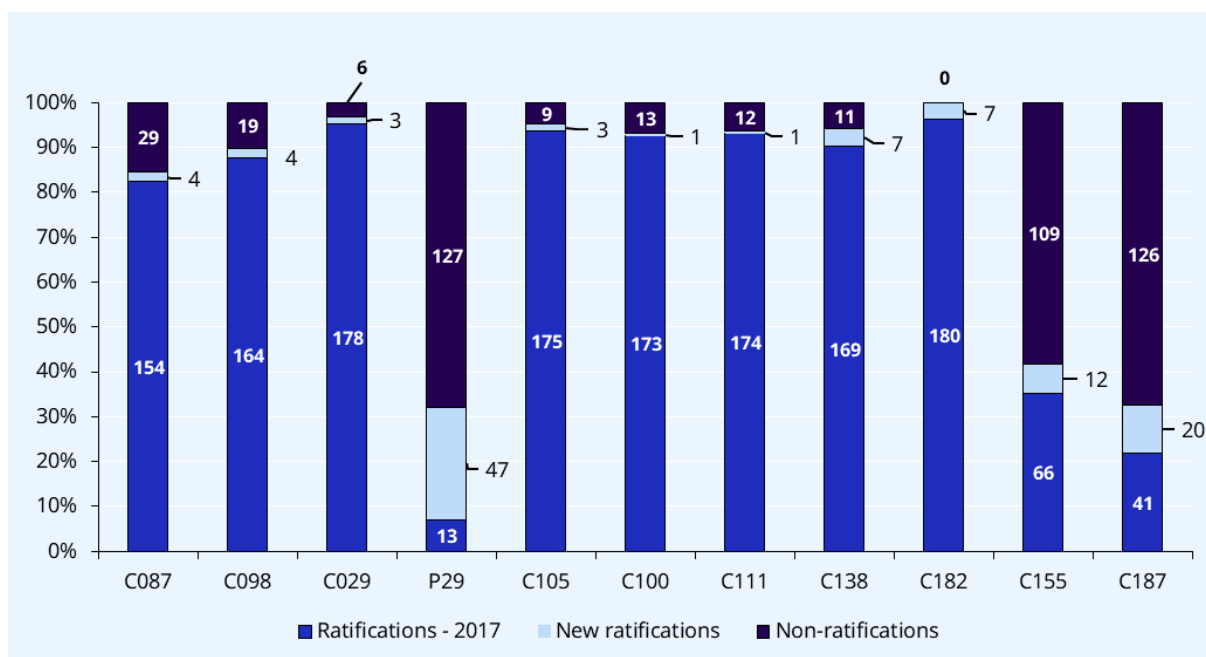
2.2.5. Standards-related action

- 109. The ILO took a decisive step forward in expanding the normative basis for FPRW with the recognition of a safe and healthy working environment as a fifth fundamental right in 2022.** The 1998 Declaration was amended following the adoption 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 and the designation of Conventions Nos 155 and 187 as fundamental Conventions. The addition of OSH as a fundamental right represents a significant step towards improving OSH standards globally and placing greater emphasis and efforts on preventing occupational hazards, injuries and diseases. It creates momentum for increasing OSH efforts worldwide, provides a rights-based approach in which to ground actions, and underlines the central role of the ILO in this field.
- 110. The reporting period saw important progress made toward universal ratification of the fundamental Conventions, including the landmark achievement of universal ratification of Convention No. 182 in 2020.** As of October 2023, the ILO had registered a total of 1,536 ratifications of fundamental Conventions and 60 ratifications of the Protocol of 2014. The rate of new ratifications has accelerated since the second recurrent discussion in 2017, with a total of 62 new ratifications (and 47 ratifications of the Protocol of 2014) compared to just 39 between 2012 and 2017. As shown in figure 4, overall ratification rates and new ratifications during the reporting period vary considerably across the five categories of FPRW. Efforts towards ratification remain critical because ratification uniquely embodies lasting political commitment to advancing FPRW. But ratification, while critical, is of course not enough, as the persistent implementation gaps across all five FPRW categories discussed in Chapter 1 make clear.

³²⁸ Country- and sector-specific information relating to forced labour (and child labour) will also be required to inform the European Union's proposed database under the 2022 Proposal for a Regulation on prohibiting products made with forced labour on the Union market.

³²⁹ See ILO, *Traditional Occupations of Indigenous and Tribal Peoples in Labour Statistics*.

► **Figure 4. Ratifications of ILO fundamental Conventions**



Source: ILO, [NORMLEX](#) database (as of 1 October 2023)

- 111. Progress in ratification can be attributed to several factors.** The high-level evaluation highlighted the critical role of the ILO's well-timed promotional activities and tailored technical support at the country level when windows of political opportunity for ratification opened. Trade-related motivations, development cooperation and the supervision of already ratified Conventions were cited by the high-level evaluation among other factors appearing to invigorate ratification activity.³³⁰ Ratification rates were also boosted by global ratification campaigns and the advocacy and communication strategies underpinning them. The ILO Centenary Ratification Campaign, which called on all 187 ILO Member States to ratify at least one Convention during 2019, with a special emphasis on the fundamental and governance Conventions, delivered 70 new ratifications in 2019, including 12 new ratifications of (now) fundamental Conventions and 16 ratifications of the Protocol of 2014.³³¹ The 50 For Freedom campaign to promote ratification of the Protocol of 2014, jointly implemented by FUNDAMENTALS and the Department of Communication and Public Information (DCOMM) with support from the International Labour Standards Department (NORMES), contributed to 38 ratifications of the Protocol of 2014 during the reporting period, and reached its initial goal of 50 ratifications in 2021.
- 112. The ILO has also led campaigns to promote ratification of other Conventions of direct relevance to FPRW, including the ongoing campaign to promote the ratification of Convention No. 190.** This Convention is groundbreaking in codifying violence and harassment as both an issue of equality and of OSH. The ratification campaign for Convention No. 190 played an important role in raising awareness and improving legislation and practices (by both public and private actors) in respect of violence and harassment at work.

³³⁰ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 58.

³³¹ This figure includes Conventions Nos 155 and 187, which were adopted as fundamental Conventions in 2022.

2.2.6. Partnerships, development initiatives and cooperation frameworks

- 113.** The plan of action for the period 2017–23 called on the Office to build and strengthen partnerships at the global, regional and national levels, and to cooperate with the UN system and international financial institutions to promote FPRW. The ILO Centenary Declaration for the Future of Work reinforced more broadly the importance of multilateral cooperation and partnerships with other organizations as a means of advancing the ILO's strategic objectives and ensuring the ILO plays a full role in the multilateral system. The following section reviews some trends and examples of multilateral initiatives to promote FPRW.

UN system partnerships

- 114. ILO engagement with the UN Secretary-General's Call to Action for Human Rights**³³² **provided a key entry point to promote international labour standards as part of the human rights norms and standards that underpin the 2030 Agenda.** This engagement led to the February 2023 Joint statement by the CEACR and the UN Human Rights Treaty Bodies Chairpersons recognizing that "labour rights are human rights and that integrating human rights and international labour standards into economic and legal policy frameworks is critical to reducing inequalities and creating an environment conducive to more equitable and inclusive economic development."³³³ In this statement they undertook, among other things, to hold periodic thematic meetings. In December 2023, they held the first thematic meeting with a view to commemorating the 75th anniversary of the Universal Declaration of Human Rights and Convention No. 87, with the participation of two Special Rapporteurs – on freedom of peaceful assembly and of association, and on extreme poverty and human rights. The ILO is also an active member of the Call to Action for Human Rights Interagency Working Group. In this framework, it co-leads the first thematic priority on sustainable development, while actively contributing to other thematic priorities, such as civic space, the rights of future generations and the rights of children.
- 115. The ILO's position as part of the Technical Support Facility of the UN Global Accelerator on Jobs and Social Protection for Just Transitions has provided another important channel for promoting decent work, social protection and FPRW across the UN system.**³³⁴ ILO involvement alongside the WHO, UNICEF, the UN Development Programme (UNDP) in the thematic working group on care economy and health workers³³⁵ of the Global Accelerator developed a road map on the care economy and health workers in 2022,³³⁶ based on the ILO 5R Framework for Decent Care Work that will be discussed by the Conference at the time of the third recurrent discussion on FPRW.
- 116. The ILO has leveraged its involvement in the UN Sustainable Development Cooperation Frameworks (UNSDCFs)**³³⁷ **to mainstream FPRW into broader UN cooperation at the country level.** Feedback from members of UN country teams and other partners (non-governmental

³³² UN, *The Highest Aspiration*.

³³³ ILO and UN Human Rights Treaty Bodies, "Joint statement by the ILO Committee of Experts on the Application of Conventions and Recommendations and UN Human Rights Treaty Bodies Chairpersons", 24 February 2023.

³³⁴ ILO, "The ILO and the Global Accelerator on Jobs and Social Protection for Just Transitions", n.d.

³³⁵ Global Accelerator, ILO, UNICEF, UNDP, WHO, *Global Accelerator on Jobs and Social Protection for Just Transitions: Theme – Care Economy and Health Workers*, 2023.

³³⁶ Global Accelerator, ILO, WHO, UNICEF, UNDP, *Inter-Agency Task Team: Global Accelerator on Jobs and Social Protection for Just Transitions*, n.d.

³³⁷ UNSDCF are the principal framework for UN support for the SDGs at country level.

organizations, donors) interviewed as part of the high-level evaluation in evaluation case study countries suggests that the ILO has been relatively successful in influencing UNSDCF development, including through facilitating the involvement of national workers' and employers' organizations, incorporating FPRW considerations into UN common country analyses, and promoting understanding and respect for FPRW among other UN agencies.³³⁸

117. The ILO has also leveraged a wide range of other global partnerships and initiatives across the UN system to promote and mainstream FPRW:

- Through its participation in the UN High Level Committee on Management Procurement Network (HLCM-PN), the ILO has led the development of a common UN approach to combat trafficking in persons and forced labour in UN procurement supply chains.³³⁹
- The ILO's position as the secretariat for Alliance 8.7 has given it a central role in promoting and supporting the efforts of Member States, other UN agencies, civil society organizations, international and regional organizations, and employers' and business membership organizations towards the achievement of SDG target 8.7, and has provided an incentive for particularly committed Member States to become Pathfinder Countries, with the aim of accelerating their own progress, as well as helping others to do the same.
- ILO involvement in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) has provided an important entry point for promoting inter-agency dialogue on trafficking for the purpose of forced labour.
- ILO involvement in the Inter-Agency Working Group on Violence against Children has enabled it to underline the high incidence of violence suffered by children in child labour and to promote targeted strategies to address the problem.
- ILO participation in the Joint UN Programme on HIV/AIDS (UNAIDS) partnership has allowed it to shape the UN response on HIV in the world of work and to provide leadership on fighting social stigma in the workplace.
- ILO engagement with the Global Compact for Safe, Orderly and Regular Migration,³⁴⁰ ILO membership in the Executive Committee of the UN Network on Migration,³⁴¹ and the ILO's framework agreement with the IOM have provided key vehicles through which to advance FPRW in the framework of broader dialogue on the rights of migrant workers.
- Through EPIC,³⁴² co-led by the ILO, UN Women and the OECD, the ILO has promoted and contributed to peer-to-peer policy discussions, research, policy guidance, collection and dissemination of best practices, and other measures aimed at addressing the gender pay gap.
- Through the Safe and Fair programme,³⁴³ an initiative co-led by the ILO and UN WOMEN in the Association of Southeast Asian Nations (ASEAN) region, the ILO has promoted social dialogue, supported training and awareness-raising of women migrant workers, and provided technical support to national authorities to fight gender-based violence, promote safe migration and strengthen the labour rights of women migrant workers.

³³⁸ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 86.

³³⁹ UN HLCM-PN, *Addressing forced labour and human trafficking in UN supply chains: Guidance for UN Staff*, 2022.

³⁴⁰ ILO, "UN Global Compact for Safe, Orderly and Regular Migration", n.d.

³⁴¹ United Nations Network on Migration, "FAQs on the United Nations Network on Migration at the country and regional levels", October 2020, 1.

³⁴² EPIC, "Equal Pay Around the World".

³⁴³ ILO, "Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN region", n.d.

- ILO participation in the Working Group of Experts on People of African Descent and the UN Working Group on Discrimination Against Women and Girls in respect of employment and occupation has enabled it to promote common action in advancing FPRW in these groups.³⁴⁴
- Institutional collaboration with the UNHCR, operationalized through the ILO-UNHCR Joint Action Plan 2023–2025,³⁴⁵ has provided an entry point for promoting decent work conditions and ensuring FPRW among forcibly displaced people.
- ILO collaboration with the UN Working Group on Business and Human Rights has provided an important channel for promoting FPRW and international labour standards in a wide range of national action plans on business and human rights.³⁴⁶ In 2023, the UN Global Compact and the ILO also jointly developed a new e-learning resource,³⁴⁷ providing concrete guidance to business on ensuring FPRW in their operations and supply chains.

Other multilateral partnerships

- 118. The ILO supports the G7, G20 and the BRICS countries on an ongoing basis by providing data, analysis and policy recommendations.** The *G20 Policy Principles on Adapting Labour Protection for More Effective Protection and Increased Resilience for All Workers* adopted in 2022³⁴⁸ recall that “Labour protection, based on international labour standards and national laws, is the outcome of the interplay of policy measures on wages, working arrangements, including hours of work, ability to freely exercise the rights to freedom of association and collective bargaining, protection against discrimination in employment, occupational safety and health (OSH), parental rights at work, and employment protection.” Further, the 2023 G7 Kurashiki Ministerial Declaration: Investing in Human Capital emphasized that “securing the labour rights of freedom of association and the right to collective bargaining is the foundation of decent work, and plays an important role in promoting wage growth”.³⁴⁹
- 119. The ILO has long-standing ties with the IFC, specifically in the context of the Better Work programme.**³⁵⁰ The ILO and the IFC are intensifying their partnership on priority themes, including, promoting gender equality in the workplace and addressing gender-based violence at work, supporting the creation of quality green jobs for the future, and scaling up joint efforts to improve workers’ conditions in supply chains.³⁵¹ The ILO engages closely with public development banks around social standards and other policies of relevance to FPRW. The Asian Development Bank has sought the expertise of the ILO on FPRW as part of its work on social standards in supply chain financing.³⁵² The majority of public development banks, including multilateral development banks, now incorporate references to FPRW into their environmental and social safeguards. More recently, the ILO has contributed to an Advisory Note developed by the Independent Recourse Mechanism of the African Development Bank (AfDB) that presents a road map for the Bank to

³⁴⁴ UN Network on Racial Discrimination and Protection of Minorities, “[Framework for Common Action for a Post-COVID-19 World 2021+](#)”, 17 January 2022, 3.

³⁴⁵ See ILO and UNHCR, *ILO-UNHCR Joint Action Plan 2023–2025*, 2023.

³⁴⁶ ILO, *The linkages between international labour standards, the United Nations Guiding Principles on Business and Human Rights, and National Action Plans on Business and Human Rights*, ILO brief, June 2021.

³⁴⁷ ILO and ITC, “[Learning Plan: Advancing decent work in business through the UN Global Compact Labour Principles](#)”, n.d.

³⁴⁸ G20, *G20 Policy Principles on Adapting Labour Protection for More Effective Protection and Increased Resilience for All Workers*, 2022.

³⁴⁹ Government of Japan, Ministry of Health, Labour and Welfare of Japan, “[Investing in Human Capital](#)”, G7 Kurashiki Labour and Employment Ministers’ Meeting in Okayama, Japan, 22–23 April 2023.

³⁵⁰ ILO and IFC, *Understanding impact*.

³⁵¹ ILO, “[ILO and IFC scale up collaboration on social issues in private investments](#)”, 17 March 2023.

³⁵² ILO, *Mid-term review of the ILO Development Cooperation Strategy (2020–25)*, GB.347/POL/3, 2023.

ensure a safer and more conducive work environment in AfDB-financed projects, in order to foster systemic changes at the country, regional and continental levels.

Regional partnerships

120. The ILO has also leveraged partnerships at the regional level to promote FPRW and mainstream FPRW into regional policy frameworks:

- The ILO Regional Office for Latin America and the Caribbean serves as the technical secretariat of the Regional Initiative: Latin America and the Caribbean Free of Child Labour, a tripartite cooperation platform consisting of 31 countries, 7 representatives of employers and 7 representatives of trade unions in the Americas, aimed at accelerating the end of child labour in the region. The Initiative focuses on political advocacy, research, development of new methodologies to identify the risk of child labour, support to national action plans to accelerate the elimination of child labour, and exchange of experiences, including through South-South cooperation.
- ILO engagement with the African Union included support to the African Union's Ten Year Action Plan to Eradicate Child Labour, Forced Labour, Human Trafficking and Modern Slavery (2020–2030).³⁵³ Under the Action Plan, adopted by the African Union Assembly in February 2020, the African Union supports multi-stakeholder engagement, including with business and employers' and workers' organizations, to address child labour, trafficking in persons, modern slavery and forced labour, including in the supply chains of multinational enterprises and in associated communities.³⁵⁴
- ILO engagement with ASEAN included technical support in the development and implementation of a new Roadmap on the Elimination of the Worst Forms of Child Labour by 2025.³⁵⁵ Through the ILO TRIANGLE in ASEAN programme, the ILO has also supported the development of the ASEAN Declaration on The Protection of Migrant Workers and Family Members in Crisis Situations.³⁵⁶
- The ILO is closely engaged with the European Union. The European Union has taken several recent steps to promote collective bargaining, informed by the experience of the ILO. First, the adoption in 2022 of the Directive on adequate minimum wages in the European Union sets out a clear goal to increase the number of workers who are covered by collective bargaining on wage setting. Second, the European Union has highlighted the centrality of collective bargaining as a means to effect just transition.³⁵⁷

Partnerships with business and employers' organizations

121. Key partnerships with business and employers' organizations are leveraged to advance FPRW in business operations and supply chains.

The ILO's leading role in international business networks on FPRW-related issues is particularly important in this regard. The Child Labour Platform, co-chaired by the International Organisation of Employers (IOE) and ITUC, serves as a critical vehicle for private sector engagement on child labour in supply chains. The Global Business

³⁵³ African Union, "The African Union Ten Year Action Plan on Child Labour plan moves toward implementation", 21 September 2020.

³⁵⁴ African Union, *Draft Ten Year Action Plan on Eradication Of Child Labour, Forced Labour, Human Trafficking And Modern Slavery in Africa (2020-2030): Agenda 2063-SDG Target 8.7*, 2019.

³⁵⁵ ASEAN, *ASEAN Roadmap on the Elimination of the Worst Forms of Child Labour by 2025*, 2020.

³⁵⁶ See ASEAN, "ASEAN Declaration on The Protection of Migrant Workers and Family Members in Crisis Situations", 10 May 2023.

³⁵⁷ European Commission, "New EU Guidance Helps Companies to Combat Forced Labour in Supply Chains", 13 July 2021.

Network on Forced Labour brings together employers' organizations, businesses of all sizes and from all sectors, and their networks from around the globe, to eradicate forced labour. Under Alliance 8.7, the Supply Chains Action Group has reached a membership of over 250 organizations and has channelled expertise and resources from its members to accelerate progress against child labour and forced labour in supply chains. The ILO Global Business and Disability Network, a cooperation between the ILO and leading multinational companies, promotes equal opportunities and addresses employment discrimination against people with disabilities.³⁵⁸

³⁵⁸ ILO, "ILO GBDN Self-Assessment", website.

► Chapter 3

Revitalizing action on fundamental principles and rights at work

- 122.** The world faces complex challenges with far-reaching implications for the realization of FPRW. There is a need to revitalize them in order to deliver on the promises of the 1998 Declaration and the ILO's commitment to achieving social justice, as well as the commitment of the 2030 Agenda to leave no one behind.
- 123.** The previous chapters have underlined how fragile progress in respect of FPRW can be when multiple crises intersect and reinforce each other, widening inequalities and generating insecurity and unpredictability. Yet, the realization of these rights is essential for the respect of other labour rights, for peace and social cohesion, and for inclusive, sustainable and sustained development. The review of trends and action by ILO tripartite constituents, the Organization and the Office over the past seven years confirms the continued relevance of the priorities identified by the Conference in 2017 but also points to areas warranting greater and urgent attention. These include the development of integrated approaches to the advancement of FPRW and enhanced in-house coordination, including between headquarters and the field to this end; a more even attention to the five categories of FPRW, particularly FACB and non-discrimination; and continued investments in understanding what works and what does not work depending on different country circumstances and needs.

More integrated and holistic approaches to fundamental principles and rights at work

- 124. Lessons from current ILO strategies and action on FPRW point to the need for more integrated and holistic approaches to FPRW advancement** that fully reflect the interdependent and mutually reinforcing nature of the five FPRW categories, as well as the wider set of root causes impeding their realization. With some important exceptions, the Office has hitherto pursued more segregated, right-by-right, approaches to FPRW promotion, which did not fully account for the critical interconnections across FPRW categories. The Office should accord greater attention to raising constituents' awareness of the underlying rationale for integrated approaches, including through continued research, advocacy and communication activities, and will ensure that the key interconnections among FPRW categories are better reflected in Office technical advisory services. In support of this strategic shift, the Office could seek greater balance in its attention across the five FPRW categories, and strengthen coherence and coordination in FPRW actions within the Office.
- 125. A move to more integrated and holistic approaches requires that the Office accord adequate and equal attention to all five FPRW categories.** As shown in this report and noted in the high-level evaluation, there are significant *imbalances* in Office action across the five FPRW categories. In particular, the high-level evaluation noted that "Few ILO projects addressed structural gaps in fundamental FACB rights, even within the Office's social dialogue, workplace cooperation and industrial relations workstreams", ³⁵⁹ despite their particular importance as enabling rights. The Office will therefore ensure higher visibility and higher work density on less frequently covered FPRW categories, and above all on FACB. Instrumental to achieving this goal will be dedicated training for staff to increase their knowledge and understanding of why and how

³⁵⁹ ILO, *Independent high-level evaluation of FPRW, 2018–23*, 61.

FACB can contribute to enhanced democracy at work and more inclusive, safer and performant workplaces.

- 126. Improved coordination and coherence in Office FPRW promotion will also be critical.** Lined-up, “One ILO” initiatives for advancing FPRW have hitherto been rare, and important synergies across the Office’s work on FPRW promotion not fully harnessed. It is therefore suggested that the Office consolidate a “One ILO” framework for action to strengthen its strategy and actions on FPRW promotion. This framework will be designed to systematically engage the Office departments with direct mandates for specific FPRW categories and Office departments with responsibility for policy areas pertaining to key root causes of FPRW deficits, such as employment policies, enterprise development, social protection, social dialogue and labour administration. The framework will align with and complement relevant existing Office plans of action and strategies, including the ILO Global Strategy on Occupational Safety and Health 2024–30,³⁶⁰ the ILO Integrated strategy for the promotion and implementation of the right to collective bargaining,³⁶¹ the ILO strategy for action concerning the elimination of violence and harassment in the world of work, and the ILO strategy on decent work in supply chains³⁶² Addressing the different dimensions of inequality in the world of work that underpin FPRW deficits, in line with the 2021 resolution concerning inequalities and the world of work,³⁶³ will be a critical overarching area of strategic emphasis.

Five thematic areas

- 127. The ILO could pay particular attention to mainstreaming FPRW considerations across five broader interrelated areas of Office work that recent trends and experience suggest are essential to progress in addressing the root causes of FPRW deficits:** (1) FPRW in informal economies, with due attention to rural areas; (2) FPRW in situations of crisis and fragility; (3) FPRW in business operations and supply chains ; (4) FPRW in just transitions to a climate neutral economy and society; and (5) FPRW in changing work arrangements, including work on or through digital platforms.
- 128.** The first three areas are those identified in the Integrated Strategy on FPRW and validated by the Governing Body in 2016,³⁶⁴ and remain of central relevance today. It is well known that workers in the **informal economy**, insufficiently recognized in law and often unprotected in practice, are especially susceptible to FPRW violations. Informal economy workers account for 60 per cent of the world’s employed population, and, against the backdrop of a growing labour force, millions of additional workers are joining the informal economy each year. Multiple and overlapping **situations of crisis and fragility** are affecting the lives of increasing numbers of workers worldwide, fuelling joblessness and informality, disrupting basic labour and social protections, and heightening the risk of violations across all FPRW categories. Production linked to **supply chains** – global and domestic – accounts for much of the world’s workforce. This fact alone points to the overarching importance of attention to the protection of workers and the needs of sustainable enterprises within supply chains. In March 2023, the Governing Body adopted a strategy for achieving decent work in supply chains, in which the respect, promotion and realization of FPRW are essential to the attainment of decent work. In sum, by weight of sheer

³⁶⁰ ILO, *Global Strategy on Occupational Safety and Health 2024–30 and plan of action for its implementation*, GB.349/INS/8, 2023.

³⁶¹ ILO, GB.349/POL/2.

³⁶² ILO, *ILO strategy on decent work in supply chains*, GB.347/INS/8, 2023.

³⁶³ ILO, *Resolution concerning inequalities and the world of work*, ILC.109/Resolution XVI, 2021.

³⁶⁴ ILO, GB.328/POL/7.

numbers of workers concerned and the severity of the risks they face, broader progress in advancing FPRW will simply not be possible without priority and systematic attention being given to the drivers of FPRW deficits in contexts of informality, crisis and fragility, and in supply chains.

129. Trends and experience over the last seven years also point to two additional areas warranting greater and urgent attention. **Climate change** represents the pre-eminent societal threat of our time, endangering jobs, livelihoods and enterprises across the world of work. The resolution concerning a just transition towards environmentally sustainable economies and societies for all recognizes the need to respect, promote and realize FPRW as guiding principles for a just transition for all. **Digital platform work and other emerging forms of work** are providing opportunities for workers, but also critical new challenges to ensuring their rights. Broader progress in advancing FPRW will also require greater systematic attention to addressing FPRW deficits in this growing segment of the workforce.
130. **For each of the five thematic areas, the Office will support constituents in the development of bespoke, evidence-based actions, grounded in the holistic and integrated approach to promoting FPRW discussed above.** Addressing the different dimensions of inequality in the world of work that underpin FPRW deficits, in line with the resolution concerning inequalities and the world of work,³⁶⁵ will be a critical overarching area of strategic emphasis. Action under each thematic area will leverage and closely coordinate with the broader Office efforts undertaken within the framework of the priority action programmes to tackle the root causes of FPRW deficits, as part of a “One ILO” approach to the advancement of FPRW.

Continued emphasis on ratification and implementation of the fundamental labour standards

131. **The Office could provide further guidance and support to increase ratification of the fundamental labour standards as the embodiment of political commitment to advancing FPRW and the normative foundation for action.** The previous reporting period saw substantial progress in ratification – including the universal ratification of Convention No. 182 – but the ratification of the other fundamental instruments remains far from universal. The Office will design and implement global and country ratification campaigns, in line with the Programme and Budget for 2024–25, in particular regarding the least ratified international labour standards. Building on the momentum generated by the designation of safe and healthy work environments as the fifth FPRW category, the Office will develop a global campaign specifically focusing on the ratification of Conventions Nos 155 and 187, as well as on Conventions Nos 87 and 98 as especially important enabling rights. These efforts would build on lessons learned from ongoing ratification efforts in terms of the importance of bespoke, targeted assistance to overcome obstacles to ratification and of seizing windows of political opportunity for ratification as they arise.
132. **It is necessary to reinforce synergies between the Office’s development cooperation and its supervisory machinery in order to improve the implementation of ratified standards.** The Office could prioritize the use of supervisory body comments to focus Office FPRW promotion efforts within wider development cooperation interventions. Importantly, this will entail deepening linkages between development cooperation efforts, often administered on a decentralized basis, and requests for technical assistance from constituents in line with supervisory body comments. The Office could also ensure that project staff members gain greater understanding of the role and functions of the ILO supervisory bodies and will further mainstream

³⁶⁵ ILO, ILC.109/Resolution XVI.

the knowledge of ILO supervisory mechanisms across the Organization, both in the field and at headquarters.

Building the evidence base for informed action

- 133. The ILO could continue to invest in research and data collection to build the evidence base needed for informed action on FPRW.** While the ILO has contributed to important progress in generating and operationalizing evidence on FPRW, notably on child labour and forced labour, critical evidence gaps persist across all five FPRW categories. The Office could increase its technical support to the development of methods, tools and statistical standards necessary for research and data collection on FPRW, and could support strengthening the capacity of constituents, research institutions and other national partners to undertake research and collect data on priority FPRW concerns. Providing support to improve the evidence base pertaining to non-discrimination and FACB could be a particular priority in this context. Integrating FPRW issues in national statistical programmes could be another area of overarching emphasis, building on past cooperation in this regard in the area of child labour. Global and national research agendas on child labour and forced labour, developed through a process of consultation with constituents and other stakeholders as part of the Research to Action project, could guide research cooperation in these two FPRW categories. Key global reports could be leveraged to raise awareness of FPRW deficits and help shape the policy debate on how to address them.
- 134. The Office will place a greater emphasis on measuring and monitoring impact across its FPRW development cooperation portfolio.** Constituents are increasingly turning to the ILO for concrete, evidence-based guidance on “what works” in policy terms when addressing FPRW deficits. Yet robust evidence on the impact of interventions is often not available, limiting the ability of the Office and constituents to learn from experience and identify approaches to FPRW promotion that are most impactful. The ILO will prioritize the systematic integration of a robust monitoring and evaluation element in development cooperation projects pertaining to FPRW in order to improve evidence on their impact. It will also support bespoke evaluations on the impact of different policy and regulatory approaches to addressing FPRW deficits. Demonstrating the impact of *integrated* approaches to FPRW promotion will be a particular priority in this regard.

Strategic partnerships and alliances

- 135. The ILO will continue to leverage partnerships and alliances to drive political commitment and promote broad-based, coherent and coordinated action among multiple stakeholders to advance FPRW.** The renewed emphasis on multilateralism to advance sustainable development offers multiple opportunities to establish FPRW as both a goal and driver of social and economic progress. FPRW lie at the core of the work of the Global Coalition for Social Justice. The Coalition will therefore be key to generating increased political commitments and investments, and fostering concrete actions towards advancing FPRW across the ILO tripartite constituents, organizations from the multilateral system and other stakeholders making up its membership. The ILO will also further increase its engagement on FPRW promotion with other UN agencies, international financial institutions and regional economic organizations through Alliance 8.7, EPIC, the Fair Recruitment Initiative and a range of other partnerships. At the country level, the ILO will prioritize continued engagement with UN country teams to ensure the inclusion of FPRW concerns in UN common country assessments and in UNSDCF. Key business networks, including the Child Labour Platform and the Global Business Network on Forced Labour, will be leveraged to promote FPRW and build compliance capacity in business operations and supply chains.

Sustainable financing

- 136. Policies and plans for the advancement of FPRW mean little in the absence of sustainable sources of financing for their effective implementation.** Recognizing the critical role of sustainable financing, the Office could provide technical assistance and capacity-building to governments to develop and implement domestic resource mobilization strategies and national financing frameworks designed to expand their fiscal space for FPRW advancement, building on wider Office efforts in sustainable financing for decent work and sustainable financing in policy areas including social protection.
- 137. While governments can and should sustainably mobilize domestic resources, the international community has a key role to play in helping to fill national financing gaps in FPRW promotion where they persist.** This role is all the more important in view of the budgetary pressures and increased debt that many governments are facing. In this context, the ILO could, through the Global Coalition for Social Justice, its partnerships with relevant international and regional financial institutions, and other partnerships and alliances, actively promote increased international support to resource mobilization for the advancement of FPRW. The ILO's lead role in the Global Accelerator on Jobs and Social Protection for Just Transitions offers particular potential for advancing integrated policy solutions and the financing agenda in partnership with constituents, the United Nations, the World Bank and other international financial institutions, as well as other multilateral and bilateral partners. Office work in support of South–South and triangular cooperation around financing for decent work could also be leveraged in this regard. Finally, the Office could also promote the call by the Durban Call to Action on the Elimination of Child Labour to “address the external debt of heavily indebted poor countries to reduce debt distress.”³⁶⁶

³⁶⁶ 5th Global Conference on the Elimination of Child Labour, *Durban Call to Action on the Elimination of Child Labour*, Durban, 15–20 May 2022, para. 44.