

Committee on the Application of Standards

Date: 3 June 2024

- ▶ **A. Cases of serious failure by Member States to respect their reporting or other standards-related obligations**
 - ▶ **B. Written information received from Governments concerned by serious failure**
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A. Cases of serious failure by Member States to respect their reporting or other standards-related obligations, as identified in the Report of the Committee of Experts, and updated based on the information and reports received since its last session

1. Failure to supply reports for the past two years or more on the application of ratified Conventions

Countries mentioned in paragraph 85 of the General Report – page 66

Afghanistan, Antigua and Barbuda, Barbados, Comoros, Dominica, Grenada, Haiti, Papua New Guinea, Saint Lucia, Somalia, Syrian Arab Republic, Tonga, Tuvalu, Vanuatu and Yemen.

Since the last session of the Committee of Experts, reports have been received from the following country:

Antigua and Barbuda. The Government has sent a report due.

Therefore, the countries invited to supply information to the Committee on the Application of Standards concerning this failure are:

Afghanistan, Barbados, Comoros, Dominica, Grenada, Haiti, Papua New Guinea, Saint Lucia, Somalia, Syrian Arab Republic, Tonga, Tuvalu, Vanuatu and Yemen.

2. Failure to supply first reports on the application of ratified Conventions for two or more years

Countries mentioned in paragraph 88 of the General Report – page 67

State	Conventions Nos
Cook Islands	– Since 2021: MLC, 2006
Djibouti	– Since 2022: Convention No. 183
Fiji	– Since 2022: Convention No. 190
Grenada	– Since 2021: MLC, 2006, and Convention No. 189
Iraq	– Since 2022: Convention No. 185
Lebanon	– Since 2021: MLC, 2006
Marshall Islands	– Since 2021: Convention No. 182
Sudan	– Since 2021: MLC, 2006
Tonga	– Since 2022: Convention No. 182
Tuvalu	– Since 2021: Convention No. 182
Vanuatu	– Since 2021: Convention No. 138

Since the last session of the Committee of Experts, first reports have been received from the following countries:

Cook Islands. The Government has sent the first report on the application of the MLC, 2006.

Fiji. The Government has sent the first report on the application of the Convention No. 190.

Therefore, the countries invited to supply information to the Committee on the Application of Standards concerning this failure are:

Djibouti, Grenada, Iraq, Lebanon, Marshall Islands, Sudan, Tonga, Tuvalu and Vanuatu.

3. “Urgent appeals” – Failure to supply reports on the application of ratified Conventions for at least three years

Observations concerning particular countries (Part II of the CEACR Report – page 99)

Afghanistan, Antigua and Barbuda, Comoros, Cook Islands, Grenada, Marshall Islands, Saint Lucia, Sudan, Syrian Arab Republic, Tuvalu and Vanuatu.

Since the last session of the Committee of Experts, reports have been received from the following countries:

Antigua and Barbuda. The Government has sent a report due.

Cook Islands. The Government has sent a report due.

Therefore, the countries invited to supply information to the Committee on the Application of Standards concerning this failure are:

Afghanistan, Comoros, Grenada, Marshall Islands, Saint Lucia, Sudan, Syrian Arab Republic, Tuvalu and Vanuatu.

4. Failure to supply information in reply to comments made by the Committee of Experts

Countries mentioned in paragraph 93 of the General Report – page 68

Afghanistan, Antigua and Barbuda, Bahamas, Barbados, Cambodia, Comoros, Congo, Democratic Republic of the Congo, Djibouti, Dominica, Fiji, France (New Caledonia), Grenada, Haiti, Iceland, Iran (Islamic Republic of), Madagascar, Montenegro, Netherlands (Sint Maarten), Papua New Guinea, Romania, Rwanda, Saint Lucia, San Marino, Singapore, Slovenia, Solomon Islands, Somalia, South Sudan, Sudan, Syrian Arab Republic, Tuvalu, United Kingdom of Great Britain and Northern Ireland (British Virgin Islands), Vanuatu and Yemen.

Since the last session of the Committee of Experts, replies to all or most of the comments of the Committee of Experts have been received from the following countries:

Bahamas. The Government has sent all replies to the Committee’s comments.

Cambodia. The Government has sent all replies to the Committee’s comments.

Democratic Republic of the Congo. The Government has sent replies to the majority of the Committee’s comments.

Fiji. The Government has sent all replies to the Committee's comments.

Iceland. The Government has sent all replies to the Committee's comments.

Islamic Republic of Iran. The Government has sent replies to the majority of the Committee's comments.

Madagascar. The Government has sent all replies to the Committee's comments.

Montenegro. The Government has sent replies to the majority of the Committee's comments.

Romania. The Government has sent replies to the majority of the Committee's comments.

Rwanda. The Government has sent all replies to the Committee's comments.

Slovenia. The Government has sent all replies to the Committee's comments.

In addition, written information was received from the Governments of **Congo, France (New Caledonia), and Rwanda**

See below under Part B.

Therefore, the list of countries invited to supply information to the Committee on the Application of Standards concerning this failure is as follows:

Afghanistan, Antigua and Barbuda, Barbados, Comoros, Congo, Djibouti, Dominica, France (New Caledonia), Grenada, Haiti, Netherlands (Sint Maarten), Papua New Guinea, Saint Lucia, San Marino, Singapore, Solomon Islands, Somalia, South Sudan, Sudan, Syrian Arab Republic, Tuvalu, United Kingdom of Great Britain and Northern Ireland (British Virgin Islands), Vanuatu and Yemen.

5. Failure to supply reports for the past five years on unratified Conventions and Recommendations

Countries mentioned in paragraph 136 of the General Report – page 84

Albania, Barbados, Plurinational State of Bolivia, Chad, Djibouti, Dominica, Equatorial Guinea, Haiti, Marshall Islands, Mongolia, North Macedonia, Papua New Guinea, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Singapore, Timor-Leste, Tuvalu, Uganda and Yemen.

Since the last session of the Committee of Experts, **Albania, the Plurinational State of Bolivia, Mongolia, Rwanda and Samoa**, have sent reports on unratified Conventions and Recommendations.

In addition, written information was received from the Governments of **Chad, Equatorial Guinea, Rwanda and Uganda**

See below under Part B.

Therefore, the countries invited to supply information to the Committee on the Application of Standards concerning this failure are:

Barbados, Chad, Djibouti, Dominica, Equatorial Guinea, Haiti, Marshall Islands, North Macedonia, Papua New Guinea, Saint Lucia, Sao Tome and Principe, Singapore, Timor-Leste, Tuvalu, Uganda and Yemen.

6. Failure to submit instruments to the competent authorities

Countries mentioned in paragraph 148 of the General Report – page 87

Angola, Belize, Plurinational State of Bolivia, Brunei Darussalam, Democratic Republic of the Congo, Dominica, Equatorial Guinea, Gabon, Gambia, Grenada, Guinea-Bissau, Haiti, Hungary, Lebanon, Liberia, Libya, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands, Syrian Arab Republic, Timor-Leste, Tuvalu, Vanuatu, Yemen and Zambia.

Since the last session of the Committee of Experts, information has been received on this failure by the following country:

Democratic Republic of the Congo. On 12 June 2023, the Government submitted the ten instruments adopted by the International Labour Conference between its 99th and 108th Sessions (2010–19), to the Parliament.

In addition, written information was received from the Governments of the **Plurinational State of Bolivia, Brunei Darussalam and Equatorial Guinea.**

See below under Part B.

Therefore, the countries invited to supply information to the Committee on the Application of Standards concerning this failure are:

Angola, Belize, Plurinational State of Bolivia, Brunei Darussalam, Dominica, Equatorial Guinea, Gabon, Gambia, Grenada, Guinea-Bissau, Haiti, Hungary, Lebanon, Liberia, Libya, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands, Syrian Arab Republic, Timor-Leste, Tuvalu, Vanuatu, Yemen and Zambia.

B. Written information received from Governments concerned by serious failure

Plurinational State of Bolivia

The Plurinational State of Bolivia has been building a process of social and economic transformation, the achievements of which are recognized at regional and international level. Despite the interruption of democracy in 2020, the transformation process has succeeded in taking root once again and making its first significant achievements, such as the low rates of inflation and unemployment which have been recorded over the recent period, under the leadership of the Government of President Luis Arce Catacora. Among the deep-rooted social transformations in the country, emphasis should be placed on the protection of the rights of men and women workers, in accordance and compliance with the fundamental rights recognized by the ILO.

The Political Constitution of the State, promulgated in 2009, in article 46, recognizes the right to decent work, with industrial safety, occupational safety and health, without discrimination and with just, equitable and satisfactory remuneration and pay, which ensures workers and their families a decent existence. Article 48 establishes the premise that social and labour provisions are compulsory, and that labour standards shall be interpreted and applied in accordance with the principles of the protection of women and men workers, as the principal productive force of society; the primacy of the labour relationship; labour continuity and stability; non-discrimination and the reversal of the burden of proof in favour of women and men workers, with the added principle that the recognized rights and benefits of workers cannot be renounced, and that any agreement that is contrary to this principle or is likely to undermine its application shall be null and void.

Article 49(II) provides that the law shall regulate labour relations in respect of contracts and collective agreements; general and sectoral minimum wages and wage increases; reinstatement; paid leave and public holidays; the calculation of seniority, hours of work, overtime, night and Sunday rates; Christmas and other bonuses, premiums and other systems of sharing in enterprise assets, compensation and redundancy payments; work-related maternity rights; vocational capacity-building and training; and other labour rights.

Constitutional case law, and particularly Plurinational Constitutional Ruling No. 1202/2012 of 6 September 2012 “[o]n the right to work ...”, found that:

The Right to work and work-related rights constitute a nucleus, not only of socio-economic rights, but also of fundamental human rights. A central denominator of work-related rights, in terms of their purpose and content, appears to be ‘labour’ (work). In its traditional narrow meaning, work has been seen as a means of earning a living or, in other words, only a means of economic survival. At the beginning of the XXth century, another more important and global perspective began to be discussed: the interdependence between labour conditions, social justice and universal peace. Moreover, modern perceptions have positively intensified the concept of labour as a human value, a social necessity and a means of self-realization and individual development.

In relation to labour rights, the national law set out in the Political Constitution of the State, the General Labour Act, the Regulatory Decree issued under the General Labour Act, as well as texts at the same or lower levels, have recognized rights and guarantees for women and men workers that merit being protected and guaranteed by the State, such as the right to a stable source of work, to receive remuneration or wages, the guarantee of employment stability for pregnant women and parents with children, persons with disabilities, mothers and fathers,

spouses, guardians of persons with disabilities under 18 years of age, or with serious disabilities, persons suffering from cancer, HIV or serious illnesses, women subjected to violence; and the protection of trade union rights.

It is also important to indicate that, article 49(III), the Political Constitution of the State prohibits unjustified dismissal and any form of harassment at work, and is in accordance with article 8(II) of the Constitution, which provides that dignity is one of the underlying values of the State, and it is therefore one of its essential purposes and functions to guarantee the well-being, development, safety and protection, and equality of dignity of persons, nations, peoples and communities, and to promote mutual respect and intracultural, intercultural and plurilingual dialogue.

This whole social and legislative structure, which is being developed and modernized, under the strictest observance of labour rights and the applicable provisions, in itself implies the compliance of the State with international labour standards, as outlined above.

In relation to the examination of the 31 standards to the legislative authorities, on which the Committee of Experts is requesting information, they may be divided into:

- four Conventions: the Maritime Labour Convention, 2006 (MLC, 2006); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); the Work in Fishing Convention, 2007 (No. 188); the Violence and Harassment Convention, 2019 (No. 190);
- 23 Recommendation; and
- four Protocols.

Ratification of Conventions

The Conventions adopted by the ILO make up an international legal framework concerning all aspects of labour relations, conditions of work, social security and the protection of specific categories of workers. These Conventions are directly applicable by States that have ratified them.

Despite the provisions of article 19, paragraphs 1, 3 and 5, of the ILO Constitution, the ratification of ILO Conventions is not compulsory and, in accordance with paragraph 5(b), they have to be brought before the authority or authorities regarded as competent. Nevertheless, it is also necessary to take into consideration the specific circumstances of the situation in each country, which have prevented the Plurinational State of Bolivia from complying with this obligation, as indicated below:

- The MLC, 2006, and Convention No 188 both refer to working conditions with special characteristics, in respect of which the Plurinational State of Bolivia is not fully in control as, since 1879, Bolivia has been the victim of unjust maritime enclosure, as is globally recognized. As a consequence, it is not a priority as there is a lack of specific conditions to be regulated in accordance with these Conventions.
- With reference to Convention No. 187, Bolivia is fully engaged in the process of the modernization of labour inspection, with a view to protecting the performance of work in all its forms and regulating the minimum conditions covering the labour relationship in relation to the health of the worker. In light of these considerations and in accordance with the provisions of the Constitution, Ministerial Decision No. 1444/23 was issued on 26 September 2023 approving the Labour Inspection General Regulations, which provide for the adoption of prevention measures respecting labour relations and conditions.

- With reference to Convention No. 190, in relation to its scope of application, it provides that:

Article 2(1). This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, **and individuals exercising the authority, duties or responsibilities of an employer.**

(2). This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.

As a matter of principle, the ratification of Conventions cannot be made subject to reservations. There is a conceptual impediment built into the Convention in relation to ascendant harassment at work, where the victim occupies a hierarchically higher position in relation to the supposed harasser, which is in contradiction with the logic of the Plurinational State of Bolivia with regard to the possibility for a person in a position of greater authority being able to apply the disciplinary measures which may be pertinent and established by law in relation to persons at a lower level of authority, for conduct which when carried out or when it occurs may be considered “ascendant” harassment at work. This is a situation that cannot be accepted when it is used to undermine the rights of workers and leads to their unjustified dismissal. The inadmissibility of reservations, which was broadly explained in the Memorandum submitted by the ILO to the International Court of Justice in the Genocide Case in 1951, is based on the premise that “the rights which the treaties have conferred on non-governmental interests in regard to the adoption of international labour Conventions would be overruled if the consent of governments alone should suffice to modify the substance and detract from the effect of the Conventions” (paragraph 20).

Situation with regard to ILO Recommendations

The doctrine has it that the Recommendations adopted by the International Labour Conference constitute guidance for the action of governments in specific fields and are communicated to Member States for their consideration with a view to effect being given to them by national legislation. Unlike the Conventions adopted by the Conference, **Recommendations do not require ratification by Member States**, although their application would require their application through the provisions of the national legislation. (See the text of Article 19(6) of the ILO Constitution.)

In the list of 31 standards in relation to which the Committee of Experts is seeking information on their submission to the competent authorities, 23 are Recommendations, in respect of which the Plurinational State of Bolivia has issued legal provisions regulating their application in the national territory, including:

- the Part-Time Work Recommendation, 1994 (No. 182), in relation to which the Ministry of Labour, Employment and Social Welfare has submitted, during the current year of 2024, a draft Presidential Decree regulating so-called atypical working hours, with a view to safeguarding the labour rights of workers engaged under this type of contract, the text of which is currently under examination in accordance with the respective legislative procedure.
- the Safety and Health in Mines Recommendation, 1995 (No. 183): in the context of the recent implementation of the Labour Inspection General Regulations, adopted by Ministerial Decision No. 1444/23, of 26 September 2023, a preliminary stage of prevention has been implemented for the protection of the conditions of labour relationships, particularly in the mining and cooperative mining sectors, which is being implemented in coordination with

the cooperative sector, under which the administrative authority can recommend the adoption of protection measures to members and, where appropriate, to workers. This prevention action is currently being implemented in a satisfactory manner in the provinces of the Yungas in the Department of La Paz and its implementation is planned in the Departments of Potosí and Oruro.

- the Home Work Recommendation, 1996 (No. 184): this Recommendation has been taken into consideration in the national legislation, and particularly in Act No. 2450, of 9 April 2003, the Act regulating waged domestic work, and in Presidential Decree No. 4589, of 28 September 2021, issued during the current term of the Government of President Luis Arce Catacora, which recognizes the right to protection of women and men domestic employees through short-term social security coverage by providing for their affiliation with the National Health Fund.
- the Labour Inspection (Seafarers) Recommendation, 1996 (No. 185), the Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186), the Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187), and the Work in Fishing Recommendation, 2007 (No. 199), which relate in particular to the conditions of persons engaged in labour relations subject to special conditions, such as "seafarers". It should be recalled that Bolivia, on the occasion of the War of the Pacific (1879–84), during which it faced Chile, was deprived of the whole of the territory on the coast of the Pacific Ocean, thereby being condemned to being unjustly landlocked in a situation that has persisted up to the present. As a result of this imposed geographical enclosure, the labour relations of seafarers are not an important consideration among all the sources of labour in the country. As a consequence, nor is their regulation a priority requiring immediate attention, nor does this imply any renunciation by the Plurinational State of Bolivia from recuperating its maritime status, as explicitly recognized in articles 267 and 268 of the Constitution:

Article 267. I. The Bolivian State declares its non-renounceable and imprescriptible right to the territory that gives it access to the Pacific Ocean and its maritime area. II. The effective resolution of the maritime dispute through peaceful measures and the full exercise of its sovereignty over that territory shall be permanent and non-renounceable objectives of the Bolivian State.

Article 268. The development of maritime, river and lake-based interests, and those of the merchant navy, shall be a priority for the State, and their administration and protection shall be carried out by the Bolivian Navy, in accordance with the law.

- the Private Employment Agencies Recommendation, 1997 (No. 188): although this instrument dates back to 1997, its content has been taken into consideration in the national legislation, for example in Act No. 163, of 31 July 2012, the Framework Act against the Smuggling and Trafficking of Persons, which provides that the Ministry of Labour, Employment and Social Welfare shall issue specific regulations to determine the requirements for their functioning, rights, duties, inspection, prohibitions and penalties with a view to preventing the smuggling and trafficking of persons. This is in accordance with section 18 of Presidential Decree No. 1486, of 6 February 2013, which provides that the operation of private employment agencies shall be authorized by the Ministry of Labour, Employment and Social Welfare. For that purpose, Ministerial Decisions No. 1321/18, of 4 December 2018, and No. 108/19, of 1 February 2019, have been issued to approve the Regulations on the registration and operation of private employment agencies.
- the Maternity Protection Recommendation, 2000 (No. 191), which has been taken into consideration in the national legislation, which currently includes Act No. 1516, of 10 July

2023, the Act to amend section 31 of Legislative Decree No. 13214, of 24 December 1975, which was transformed into Act No. 006, of 1 May 2010, which allows the partial deferral of the maternity allowance and its addition to the 45 days following childbirth.

As can be seen, the Plurinational State of Bolivia, and particularly the executive authorities, have been engaged in the constant analysis of the international instruments adopted by the ILO, and particularly the Recommendations, with a view to their incorporation into the provisions of the national legislation, either through Presidential Decrees or Ministerial Decisions, while always strictly observing the progressivity and protection of the rights of women and men workers.

Measures taken in relation to the Protocols adopted by the ILO

Although information has been requested on four Protocols (the Protocol of 1995 to the Labour Inspection Convention, 1947; the Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976; the Protocol of 2002 to the Occupational Safety and Health Convention, 1981; and the Protocol of 2014 to the Forced Labour Convention, 1930), certain specific considerations need to be taken into account in that regard.

As explained above, in light of the geographical situation of the Plurinational State of Bolivia, it does not have a merchant navy that is sufficiently well developed, as a result of which it is not a priority to issue regulations governing this specific sector of workers.

Without prejudice to the above, it is important to indicate that the administration of President Luis Arce Catacora has overseen the adoption of Act No. 1436, of 22 June 2022, which in its sole section provides:

- I. In accordance with Article 158(I)(14) of the Political Constitution of the State, section 33(f)(b) and section 37 of Act No. 401, of 18 September 2013, respecting the conclusion of treaties, the "Protocol to the Forced Labour Convention, 1930", adopted during the 103rd Session of the International Labour Conference in Geneva, Switzerland, on 11 June 2014, shall be ratified, and its text forms part of the present Act. II. The executive authorities shall be responsible for formally depositing the Instrument of Ratification of the "Protocol to the Forced Labour Convention, 1930.

Brunei Darussalam

The Government acknowledges the concern raised by the Committee of Experts regarding the case of serious failure to submit instruments to the competent authority. We would like to reiterate that Brunei Darussalam has actively engaged in sharing information on previously adopted Conventions with relevant government agencies for their policy consideration and potential ratification.

When an ILO instrument is adopted by the ILO Conference, it undergoes an initial review by the Labour Department and the Ministry of Home Affairs. Subsequently, the instrument is shared with the respective government ministries that hold the relevant policy portfolios. These government agencies collectively assess and determine the appropriate timeline for Brunei Darussalam to ratify the ILO instrument and implement the relevant obligations domestically. This comprehensive review process ensures that all implications are thoroughly considered and align with the national priorities and legislative framework.

As part of this process, Brunei Darussalam has reviewed and shared several recently adopted ILO instruments with relevant agencies. Notably, the Quality Apprenticeships Recommendation, 2023 (No. 208), adopted at the 111th Session of the International Labour Conference in 2023, has been circulated for policy consideration and potential implementation.

The Government is committed to enhancing this existing practice and ensuring full compliance with the submission's obligation. We recognize the need for further consultation and exploration to identify the most appropriate mechanisms and platforms within our national context. This will ensure comprehensive fulfilment of these objectives and foster widespread understanding and participation.

Brunei Darussalam has proactively sought guidance from the ILO Regional Office to ensure timely and accurate fulfilment of its responsibilities. We will host an ILO expert mission to Brunei Darussalam in May 2024. This mission aims to clarify reporting responsibilities, work collaboratively to enhance compliance, and strengthen our commitment to the principles and goals of the ILO.

Brunei Darussalam welcomes any technical assistance or capacity-building efforts offered by the ILO to help achieve compliance with the obligations under article 19 of the ILO Constitution.

We appreciate the Committee and the ILO for highlighting these points, and we look forward to further collaboration in addressing this issue.

Chad

Act No. 7/66 of 4 March 1966, establishing the Labour and Social Insurance Code in Chad, takes account of the following Conventions:

- Workmen's Compensation (Agriculture) Convention, 1921 (No. 12);
- Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)

In accordance with section 298 of the above-mentioned Act, "the purpose of social insurance is to guarantee workers and their families against risks of any kind likely to reduce or eliminate their earning capacity. It also covers family expenses".

Title IV of the same Act refers to the employment injury scheme. Therefore, although they have not yet been ratified, the above-mentioned ILO instruments are already incorporated into the Republic's legal instruments.

However, it is difficult for us to understand how a report could be produced on an instrument that has not yet been ratified. This is where the difficulty lies for those responsible for producing reports. We therefore request the support of the Committee to facilitate the drafting of reports on non-ratified instruments.

Congo

The Government, while noting this serious failure, nevertheless reaffirms its strong commitment to fulfilling all its obligations in this regard. It recalls that, several years ago, it was the subject of cases of failure concerning almost all obligations under the ILO Constitution. Continuous efforts to ensure compliance have, however, been undertaken and are ongoing.

The Government submitted reports to the International Labour Standards Department in August and September 2023, including one on the Labour Administration Convention, 1978 (No. 150), and another on the Nursing Personnel Convention, 1977 (No. 149). Moreover, it submitted a document in reply to the comments made by the Committee of Experts, a copy of which is appended. The Government considers that this document fulfils its obligation to reply to all or most of the comments made by the Committee of Experts.

The Congo has not yet, however, submitted first reports on the application of the Conventions identified in the report of the Committee of Experts: the Minimum Age Convention, 1973

(No. 138); the Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152); the Maritime Labour Convention, 2006, as amended (MLC, 2006); and the Work in Fishing Convention, 2007 (No. 188). It takes the opportunity to append to this submission its first report on the MLC, 2006, a result of numerous exchanges between the experts of the International Labour Standards Department and national stakeholders, particularly in 2023. It should be noted, however, that a joint workshop (merchant shipping and labour) is planned for a later date with a view to updating the report in the light of developments in the area of maritime labour; those developments will be the subject of an additional report by the Government.

On 8 March 2024, the Congo received, through the Ministry of Foreign Affairs, a reminder from the International Labour Standards Department concerning the report requested in an initial letter dated 7 July 2023. That report concerns the following Conventions and Recommendations:

- the Workmen's Compensation (Agriculture) Convention, 1921 (No. 12);
- the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19);
- the Equality of Treatment (Accident Compensation) Recommendation, 1925 (No. 25);
- the Social Security (Minimum Standards) Convention, 1952 (No. 102) (Part VI);
- the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121);
- the Employment Injury Benefits Recommendation, 1964 (No. 121).

The Government has made every effort to reply, with the involvement of technical departments and bodies. To that end, work to gather data from the General Directorate of Social Security and the National Social Security Fund has recently been completed; those data are being processed and will soon be consolidated in a report to be submitted to the International Labour Standards Department as early as the first half of June 2024.

Equatorial Guinea

Equatorial Guinea, an ILO Member State, in its efforts to fulfil its duty as an ILO Member, has provided its written views stating, inter alia, that the country has endured a chain of events which have delayed certain steps relating to ILO obligations.

Let us begin by highlighting the economic recession generated by the reduction in crude oil, which is our main source of revenue, which has forced the Government to amend its road map in certain sectors. We also highlight the emergence of the health crisis caused by the global coronavirus (COVID-19) pandemic, throughout which the Government turned to finding strategies to combat such a crisis. While governments were focused on combating the pandemic, the country was affected by the explosion of ammunition on 7 March 2021, which affected our work and, on top of the health crisis, meant that solutions had to be found to assist the victims of the disaster by applying policies to support victims. In this context, the Government enacted Decree No. 116/2022, calling Presidential elections in the Deputies Chamber, Senate and the municipalities, which meant that administrative management came to a halt.

The Government made progress in addressing situations related to the economic recession caused by the fall in the prices of crude oil and the global health crisis caused by the COVID-19 pandemic by setting up a support fund for small and medium-sized enterprises to compensate for the repercussions of the health crisis. The Government also continues to help victims of the disaster of 7 March 2024 by setting up accounts in commercial banks where philanthropic

citizens may deposit voluntary contributions for the victims. Various non-governmental organizations, such as the Constancia Mangué Nsue Okomo Foundation, which supports all of the most vulnerable sections of society that do not have help, also added to the Government's actions of solidarity. Since 2020, preparation has begun on 12 reports, which had come to a standstill owing to the above sociopolitical events.

Regarding the failure to submit the instruments to the competent authorities, therefore, we report that the instruments that had been pending submission were already submitted to the Government on 19 August 2019, that is a total of 22 Conventions, 2 Protocols and 18 Recommendations, to continue the regulatory procedure.

With regard to the information that was not received in reply to all or most of the comments of the Committee of Experts, despite the difficulties faced by the Government, we were able to adopt measures to make improvements, such as the enactment of the General Labour Act No. 4/2021. Since 2018, the Government has been following a road map with the Community of Portuguese Language Countries (CPLP) on child labour, within the context of which the Government has recently attended the meeting of the Labour Ministers of CPLP Member States to identify appropriate solutions aimed at eliminating child labour. In addition to establishing an action plan to combat trafficking in persons, the Government has already drawn up an update to the Act on trade unions. A new Criminal Code was also enacted and disseminated, adopted through Act No. 4/2022 of 17 August 2022, to repeal the 1963 Spanish Criminal Code which was still being applied in the country.

Another significant step is the enactment of Act No. 1/2020 of 13 July 2020, on preventing and combating corruption in Equatorial Guinea, as well as the dissemination of Decree No. 147 of 21 November 2023, adopting measures for the protection and care of minors in Equatorial Guinea, which was recently adopted.

Further actions include the study of the National Employment Policy, which will result in the updating of the current Act. Likewise, and without any interruption, the Government is continuing to subsidize the occupational training centres. We highlight some projects that are under way, such as the updating of the Act on Social Security; the establishment of a technical office for the promotion of decent work; the enactment of an Act for the prevention of occupational hazards; the 11th survey of the active population in training and employment; the organization of industrial arbitration to facilitate mediation of collective disputes; the training of enterprise committees and the holding of elections of workers' delegates in the enterprises, which will be carried out with the social partners, PATRONAL and OSGTGE; the updating of the Act on cooperatives; and the creation of an Act on occupational training.

In view of the above, the Government is committed to providing all the reports in the ordinary session of 2024. Furthermore, we requested technical assistance from the ILO in 2023 for the training of civil servants, as our geographical location does not allow us to easily find trainers in the ILO Africa offices because of language barriers, as Spanish is the main official language.

An agency for drafting reports has been set up, which, with ILO assistance, is receiving advice and guidance for the technical office responsible for drafting reports from the decent work office, and a proposal has been made for the establishment of an interinstitutional committee for drafting reports on international labour standards, which will involve various ministerial departments. We highlight that since 2023 we have been receiving ILO technical assistance through actions which are to continue through the 2024–25 biennium. Two seminars have been organized to strengthen understanding of the ILO basic principles for all the social partners and other training has been carried out for various civil servants on drafting reports. Consultation is also being considered concerning the Maritime Labour Convention, 2006

(MLC, 2006), which has replaced the Food and Catering (Ships' Crews) Convention, 1946 (No. 68) and the Accommodation of Crews Convention (Revised), 1949 (No. 92), ratified by Equatorial Guinea and whose adoption is envisaged following publication of the consultation.

France – New Caledonia

Of all ILO Member States, France has ratified the second highest number of Conventions. While this is a source of pride, it also imposes obligations on us, particularly in the area of reporting, which, although extremely useful, is also very demanding to carry out and coordinate. The various Government departments, in particular those of the Ministry of Labour, Health and Solidarity, in cooperation with our social partners, are doing their utmost to produce timely reports that meet the requirements of the ILO instruments, including with the Non-Metropolitan Territories.

The Committee of Experts' warning regarding the "serious failure to respect reporting and other standards-related obligations" was communicated immediately to the competent authorities. Any comments that the Committee on the Application of Standards may make in this respect during the Conference will also be forwarded to the relevant authorities without delay.

Nevertheless, for the past two weeks New Caledonia has been experiencing an episode of urban rioting of rare intensity, which has disrupted the normal functioning of local authorities, in particular the Government of New Caledonia. The French State, which is responsible for public order, is deploying all its efforts to restore public peace. The obligation to report and respond to the Committee of Experts' observations cannot be dealt with in isolation from this context.

The Government thanks the Committee of Experts for this alert. It will make representations to the competent authorities in the Non-Metropolitan Territory of New Caledonia to urge them to continue, as in the past and at the earliest opportunity, to comply with their ILO standards-related obligations.

Rwanda

As part of the efforts of the Government towards ensuring full respect of its reporting obligations, the Ministry of Public Service and Labour consults extensively with all social partners in the process of adopting reports due for submission to the International Labour Office. In this regard, a meeting of the National Labour Council is scheduled for 30 May 2024 to validate the reports on both ratified and unratified Conventions and Recommendations, after which all pending reports will be submitted to the ILO, no later than June 2024.

Uganda

The Government of Uganda acknowledges its reporting obligations to the ILO and appreciates the work done by the Committee on the Application of Standards and the Committee of Experts.

As part of the efforts to ensure full compliance with its reporting obligations, the Government consults extensively with numerous stakeholders, including social partners, during the process of preparing reports for submission to the ILO.

Due to new Government's regulations concerning reporting to international bodies, additional time is required to provide the requisite responses. In this regard, the Ministry of Gender, Labour and Social Development is conducting the final stages of stakeholder consultations

with a view of providing a comprehensive response to both individual cases and reports on non-ratified conventions in accordance with Article 19 of the ILO Constitution.

These reports will be submitted to the ILO by 30 September 2024.

Uganda is committed to working closely with the ILO to ensure the timely and accurate fulfilment of its responsibilities. We welcome any capacity-building support regarding our obligations, especially under Article 19 of the ILO Constitution.