

Committee on the Application of Standards

Date: 3 June 2024

► Statement by Ms Corinne Vargha, representative of the Secretary-General

As the representative of the Secretary-General for your Committee, I have the privilege of leading the Secretariat team that is ready to provide you with all the necessary assistance to ensure the effective functioning of your Committee which, as you know, is a permanent Committee of the International Labour Conference.

Constitutional mandate and work of the Committee

The mandate of your Committee is to examine and bring to the attention of the Plenary of the Conference the measures taken by Members at the national level, on the one hand, to give effect to the provisions of the international labour Conventions to which they are parties and, on the other, to comply with their obligations to communicate information and reports under articles 19, 22, 23 and 35 of the Constitution.

The work of your Committee and its role of regularly supervising compliance with the international labour standards accordingly goes to the very essence of the ILO's historical normative role.

For this purpose, your Committee has before it the report produced by the Committee of Experts at its 95rd Session (November–December 2023) and the General Survey of the Committee of Experts on “Labour administration in a changing world of work”, as already indicated by the Chairperson of the Committee.

This shows that, through their respective and distinct mandates, your two Committees are the pillars of the regular supervisory system and work together to ensure that all the Member States of the Organization comply with their commitment to give effect to the standards that you – the Governments, workers and employers of the world – have collectively adopted and decided to apply at the national level in full sovereignty in order to keep the promise of social justice, the promise of social progress and a better future, as set out in the Declaration of Philadelphia, of which we are celebrating the 80th anniversary.

In her inaugural speech at the opening of the Conference this morning, Professor Jayati Ghosh showed the extent to which the principles and values of the Declaration of Philadelphia remain a project that unites us.

This project that unites us is our common determination to achieve the freedom and dignity of humanity as a whole, as we were reminded by Wilfred Jenks, former Director-General of the Organization and one of the co-authors of this fundamental text, whom I quote:

- to pursue peace;
- to live together with tolerance and good-neighbourliness;
- to found our common life on good faith and respect for truth;
- to practice and uphold the equality of man;
- to preserve and expand personal freedom;
- to devote science and technology to the common good; and
- to promote social justice by economic growth and translate economic growth into social justice.

In view of the crises that are so severely perturbing our world, it seemed to me to be essential to take a little time at the beginning of our work to put into perspective the purpose of the discussions in your Committee, which is one of the barometers of social justice, just as you also did, Chair, in your introductory remarks.

Let me now turn to the work of your Committee.

All the measures that will allow your Committee to discharge its constitutional obligations are set out in Document D.1. They reflect the outcome of the informal tripartite consultations on the Committee's working methods held for the 18th time in March 2024. These informal tripartite consultations have resulted in numerous improvements in your Committee's working methods. They are summarized in the information provided on the Committee's webpage.

I am pleased to inform the Government delegates that, once again this year, the adoption of the final list of "individual cases" to be discussed by the Committee has been scheduled during today's opening session. This should no doubt facilitate preparations for the examination of the 24 individual cases.

I would like to remind you that the Committee's report will be submitted for adoption to the Plenary of the International Labour Conference on Friday 14 June.

Information on the ILO's normative work

I would now like to draw to your attention to certain standards-related developments that are relevant to your discussions.

1. Ratification of international labour standards

Since the Committee's last meeting in June 2023, 40 ratifications of ILO Conventions have been registered, confirming the continued commitment of Member States to a rules-based multilateral system.

The great majority of the ratifications registered have been to the Violence and Harassment Convention, 2019 (No. 190), which now has a total of 41 ratifications, as well as the two new fundamental Conventions on occupational safety and health – Conventions Nos 155 and 187.

However, there have been no ratifications registered for the three Conventions of which we are celebrating the anniversaries this year:

- Quite logically, in the case of the Worst Forms of Child Labour Convention, 1999 (No. 182), adopted 25 years ago, which is the only ILO Convention to have achieved universal ratification. Protecting every child throughout the 187 ILO Member States against the worst forms of child labour, Convention No. 182 marked a turning point in the ILO's history as, alongside the Minimum Age Convention, 1973 (No. 138), it has become the normative pillar of the fundamental principle of combating child labour and the first standard to be promoted through a fully-fledged development cooperation project, which has now become Alliance 8.7 to end forced labour, modern slavery, human trafficking and child labour.
- In the case of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), adopted 75 years ago, no ratifications have been registered over the past 12 months. Forming, together with Convention No 87, the DNA of our Organization, in November 2023, the Governing Body adopted an integrated strategy for the promotion and implementation of the right to collective bargaining with a view to strengthening the coherence and effectiveness of the ILO's approach in this regard, and the Organization's capacity to promote policy coherence in this field within the multilateral system.
- And finally, adopted 35 years ago, the Indigenous and Tribal Peoples Convention, 1989 (No. 169), is a beacon for the entire United Nations system, as the only internationally binding instrument on the rights of indigenous peoples. As such, it is one of the ILO instruments referred to most often in the Universal Peer Review (UPR) process. Convention No. 169 is an example of the impact that national and international solidarity can have on those most left behind. It also illustrates how international labour standards, adopted decades ago, can nevertheless remain at the forefront of today's challenges, namely the just transition and the protection of the environment. Despite its global influence, the Convention has received 24 ratifications, with a skewed regional focus. The Convention will be reviewed this year by the Standards Review Mechanism Tripartite Working Group during its 9th meeting, which will be held from 16 to 20 September 2024.

2. Standards policy

I would now like to refer briefly to the important steps that are being taken to modernize the ILO's normative activities and promote a body of standards that is robust, clear and up to date.

First of all, the Tripartite Working Group established under the Standards Review Mechanism (SRM) met for the eighth time in September 2023. It reached consensual conclusions in relation to the instruments concerning maternity protection, social security (old-age, invalidity and survivors' benefits) and minimum age; and it postponed its decision on the classification of certain instruments concerning the night work of children and young persons, pending research that it requested from the Office, until its next review at an appropriate time. The follow up to the SRM's recommendations is an institutional priority that calls for a redoubling of efforts to ensure that the relevant Governing Body decisions result in the promotion of ratifications at the national level and the modernization of certain standards that have been identified. For example, as a follow up to the identification by the SRM in 2017 of a gap in the body of standards concerning protection against biological hazards, the Conference will commence a discussion with a view to the development of new international standards on the

subject. Finally, and again with a view to giving effect to the recommendations of the SRM, the General Affairs Committee will examine the abrogation of four international Conventions which have been found to be obsolete (Conventions Nos 45, 62, 63 and 85).

Moreover, in November 2023, the Governing Body requested the Office to develop proposals to streamline the reports requested under article 22 of the ILO Constitution with a view to facilitating compliance with the obligation to provide information and reports to the Committee of Experts. These proposals will be developed in consultation with the tripartite constituents and you will have received our invitation to the separate meetings that we are organizing with each of the three groups on 24 June.

Finally, the Office is continuing to make technical assistance available to Members to ensure that normative guidance gives rise to tangible results at the national level. As can be seen on your Committee's web page, the Office is in the process of following up on practically all the cases discussed at the Committee's previous session in order to promote the effective implementation of the conclusions and recommendations adopted in June 2023. We have also just closed the International Labour Standards Academy, which was delivered both online and in person at the ILO International Training Centre in Turin.

This brief overview of certain standards-related developments that are of relevance to your discussions shows, as you have seen, that the Organization's standards policy is dynamic. Constantly evolving, it is sensitive to the needs of social justice in our time.

Final observations

In conclusion, the International Labour Standards Department is honoured once again this year to place its expertise at the service of your Committee.

I wish to take this opportunity to acknowledge the many invisible colleagues in my Department who are at the service of your Committee under the able leadership of Ms Karen Curtis, Chief of the Freedom of Association Branch, and Mr Horacio Guido, Chief of the Application of Standards Branch. Once again this year, they will accompany me in leading the secretariat of your Committee. I would also like to thank the two coordinators of the Committee's secretariat, Ms. Rosinda Silva and Mr. Carlos Magalhaes, for their great professionalism.

Chairperson, Vice-Chairpersons, Reporter and all the participants, I would like to wish you productive discussions on standards and I thank you for your attention.