

Committee on the Application of Standards

CAN/PV General discussion

Commission de l'application des normes

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Second sitting, 4 June 2024, 10.30 a.m.

Deuxième séance, 4 juin 2024, 10 h 30

Segunda sesión, 4 de junio de 2024, 10.30 horas

Chairperson: Mr Różycki

Président: M. Różycki

Presidente: Sr. Różycki

General discussion

Discussion Générale

Discusión general

Chairperson – I am happy to see you again in this second sitting of our Committee. Our meeting this morning will begin with the general discussion on the General Report of the Committee of Experts followed by the discussion on the General Survey entitled *Labour Administration in a Changing World of Work*. After the discussion of the General Survey, our Committee will continue its work with the discussion of the cases of serious failure of Member States to respect the reporting and other standards-related obligations. In this regard, please

note that document CAN/D/SF concerning the cases of serious failure and containing the information provided by the Governments in this respect is available on the Committee's web page. It will be followed by the conclusion of the general discussion with the replies from Judge Thomas-Felix on behalf of the Chairperson of the Committee of Experts, from the representative of the Secretary-General, and final remarks by Vice-Chairpersons.

I also inform you that D documents containing the written information sent by the Governments of Cambodia for the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Paraguay for the Labour Inspection Convention, 1947 (No. 81), are available on our Committee's web page, as well as the written information provided by the Government of Belarus on the implementation of the recommendation of the Commission of Inquiry. I would also like to inform you that revised document D.0, the new provisional working schedule with the indication of the examination dates for each of the 24 individual cases is now available on the Committee's web page.

Finally, let me remind you again that it is strictly forbidden to film, take photos of delegations other than your own or tweet live during the Committee's session, including in the overflow room, Room II. Before giving the floor to the two Vice-Chairpersons for their opening statements on the general discussion, let me recall that to allow efficient time management, delegates are requested to register on the list of speakers as early as possible. As indicated in document D.1, delegates who are registered in the Committee should request their inclusion on the list of speakers by filling in the relevant form, which is available on the Committee's web page, and by sending this form by email to can@ilo.org. I would also like to recall that the Committee decided, when adopting document D.1 on its working methods, to introduce speaking times during the general discussion for guidance purposes. These times are as follows: 20 minutes for spokespersons of Employers' and Workers' groups; 12 minutes for statements by Government groups; and 5 minutes for other members. Also, to greatly assist

the work of interpreters, please be sure to send your statement by email to the following address: can/interpret@ilo.org. Moreover, to facilitate the work, we would appreciate if you could speak at a reasonable speed when making your statements.

And now I am going to open the general discussion. I would like to invite the two Vice-Chairpersons to make their introductory statements. I give the floor to Mr Kaizer Moyane, the Employer Vice-Chairperson, to make his statement.

Employer members – Thank you Chairperson, and good morning to all the colleagues, and firstly on behalf of the Employers' group, I would like to welcome the members of this Committee to our general discussion.

I would also like to welcome to our session Judge Thomas-Felix, representing the Committee of Experts. We, as Employers, value the opportunity to continue the dialogue with her and by extension the Committee of Experts.

Let me also extend our congratulations on their appointment to the three new members of the Committee of Experts, Advocate Irene Kashindi, Professor Mia Rönmar and Judge Iain Ross.

I would now like to address a few points that the Employers consider important for the supervisory work of our Committee.

On the status of compliance with ratified Conventions:

The Employer members note that this year's report of the Committee of Experts, which is an important basis of our work, has around 1,100 pages and contains approximately 612 observations. In addition, the Committee of Experts has made 1,053 direct requests which are not contained in the report itself.

These figures show again that there exists large-scale non-compliance with ratified Conventions or related Committee of Experts' views of them.

For the Employers, this again raises questions about Member States' approach to the ratification of ILO Conventions and their application:

- Do Member States carry out reliable pre-ratification assessments to have a clear idea of what changes in law and practice are necessary to comply the Convention and if they have the ability to implement it?
- Do Member States also consider in their pre-ratification assessments Committee of Experts' interpretations that are not evident from the text of the Conventions, as well as the related reporting obligations for ratified Conventions?
- Are the national social partners, including representative and independent employers' organizations, adequately consulted by the government and their needs and views adequately taken into account in making a decision on ratification and implementation?
- Do Member States follow up on the results of pre-ratification assessments and develop action plans to ensure correct implementation prior to ratification?

The Employers have strong doubts that this is the case and noted the following in this regard:

- The Committee of Experts lists in its 2024 report some 90 countries who could benefit from ILO technical assistance as regards implementation of one or more ILO Conventions. This indicates to us that many countries ratify Conventions without necessarily having the technical capacity to ensure correct implementation.
- The Director-General's Reports to the Governing Body, which regularly provide information on new ratifications since previous sessions, show that certain Member States ratify

Conventions, sometimes several at the same time, despite significant problems with the implementation of or reporting on already ratified Conventions.

- The Employer members wish to reiterate that ratification should only take place once there is reasonable clarity that proper implementation can be ensured, ideally in a way that reconciles the needs of all tripartite constituents. The large number of comments made by the Committee of Experts however suggests that ratifications are often made prematurely or without proper pre-ratification assessments.

The Employer members would stress that the Office and the Committee of Experts have an important role to play in providing guidance in this regard:

- In its promotion of ratification of ILO Conventions, the Office should advise constituents to take a careful and considered approach to ensure that ratification comes only at the end of the process when it is clear that the envisaged Convention can be correctly implemented.
- The Committee of Experts may stress in its annual report that the ratification of a Convention is not just a political statement but the assumption of an obligation under international law to implement the Convention.
- The Employer members believe that the application of ratified Conventions could be considerably improved if ratification were approached in a consistent and strictly compliance-oriented manner. This would significantly reduce the number of comments by the Committee of Experts and thus also the burden on the supervisory system, allowing it to focus on particularly persistent and complicated cases of non-compliance.

On the distinction between direct requests and observations:

The Employer members once again need to come back to the issue of the distinction between direct requests and observations in the Committee of Experts' report.

The Employer members noted the explanations given by the Committee of Experts as regards the differences between observations and direct requests in paragraph 101, however, they do not find this differentiation meaningful. In particular, the Employers wonder why substantial compliance issues of a “technical nature” or emerging from a “first report” are dealt with only in direct requests and not in observations. Given that direct requests are not part of the Committee of Experts’ report and are thus not discussed in the Committee, this is not just a theoretical question.

The Employer members noted the view of the Workers’ group according to which nothing prevented the Committee from taking into account direct requests during the examination of individual cases. However, this only shows that the distinction between observations and direct requests is not really needed.

The Employer members therefore wish to suggest that any compliance assessments by the Committee of Experts, whether technical or not and whether concerning first or later reports, are made in the form of observations, and that direct requests are discontinued altogether. Mere requests for clarification or additional information could be informally obtained by the Office from the governments concerned, for example, via email, without the need for the Committee of Experts to make a formal direct request.

In the Employer members’ view, this would not only simplify matters but also make the difference between the preparation of the information basis for standards supervision on the one hand, and the actual standards supervision on the other, more transparent.

On the Committee of Experts’ interpretations on the right to strike in Convention No. 87 and the referral of the matter to the International Court of Justice

As regards the longstanding issue of the right to strike in relation to Convention No. 87, the Employer members would like to recall that the matter has been referred to the International Court of Justice for an advisory opinion in November 2023. The referral to the

International Court of Justice followed a controversial debate and vote in the Governing Body which left ILO constituents divided.

The Employer members and many governments were not in favour of the referral to the International Court of Justice as they considered that a balanced and sustainable solution could only be achieved through tripartite social dialogue in the ILO, including through standard-setting.

The Employer members are deeply concerned that the Committee of Experts while noting the referral of the matter to the International Court of Justice in paragraph 40 of this General Report, maintained its comments on the right to strike in Convention No. 87 unchanged and unabated.

Of its 65 comments on Convention No. 87, 55 of them, that is 84 per cent, relate partly or exclusively to the question on the right to strike. Moreover, of its 43 direct requests, 35 or 81 per cent deal one way or another with the right to strike.

Finally, one case on Convention No. 87 including the contentious views on the right to strike has been double footnoted by the Committee of Experts.

For the Employer members, the best way forward would have been to suspend any comments on the right to strike until the International Court of Justice's advisory opinion was published as we have asked at the Committee of Experts' special sitting. Indeed, as part of the ILO supervisory system, the Committee of Experts should act in accordance with the ILO Governing Body decisions. This would have been appropriate to avoid any appearance of interference or of intention to influence the cause and outcome of the proceedings by the Committee of Experts.

We should not give the impression that the International Court of Justice has no choice but to confirm the contentious interpretation on the right to strike. This would be in disrespect

of the International Court of Justice's autonomy and disregard the position of those ILO constituents who do not share the Committee of Experts' opinion on this issue.

For the same reasons, the Employer members would have preferred if the dispute on the right to strike and therefore the comments that are based on the disputed interpretations had been excluded from this Committee's meeting. However, as this has not occurred, the Employers will reaffirm their disagreement with the Committee of Experts' comments on this topic in all Convention No. 87 cases that will be discussed.

Furthermore, as usual, the right to strike in all related aspects will not be mentioned in the conclusions of Convention No. 87 cases.

On the ILO strategy for achieving decent work in supply chains

The Employer members noted that the Committee of Experts welcomed the Governing Body's adoption of an ILO strategy for achieving decent work in supply chains. The Committee of Experts states in this context that it will "follow up on these tripartite-agreed objectives within its mandate, recalling that it has considered in the past the issue of supply chains in its supervision of international labour standards, given its relevance to many key decent work deficits. "The Employer members would recall that the mandate of the Committee of Experts is to examine the compliance by governments with obligations under ratified Conventions at national level. This is different from ensuring the compliance with ratified Conventions within supply chains.

It must be emphasized that governments have a responsibility under ratified Conventions to implement these Conventions everywhere in their countries, not just in supply chains within their countries. On the other hand, governments have no responsibility for ensuring compliance with ratified Conventions in those parts of supply chains that are outside their countries. The Employers trust that the Committee of Experts will take due account of this

difference. The consideration of supply chains in the supervision of standards must not lead to a blurring of the responsibilities of national governments for the obligations arising from ratified Conventions.

On enabling environment for sustainable enterprise

The Employer members also noted the Committee of Experts' remarks on sustainable enterprises in paragraphs 50–54 of its General Report. The Committee of Experts seems to take the view that: "the mandate given to it, notably to undertake an impartial and technical analysis of how ratified Conventions are applied in law and practice by Member States, is an important contribution ... to the enabling environment in which sustainable enterprises can flourish". It appears from this that the Committee of Experts does not consider it necessary to pay particular attention to the needs of sustainable enterprises in its standards supervisory work.

The Employer members find even more concerning the Committee of Experts' primarily negative perception of "regulatory reform and the removal of business constraints" in this context which the Committee of Experts sees as potentially undermining labour standards. The Committee of Experts does not seem to recognize that sustainable enterprises comply with national laws and regulations and contribute to economic growth, employment creation and socio-economic progress. While respect for international labour standards can be seen as one of the prerequisites for a favourable environment for sustainable businesses, it is equally true that only sustainable businesses can guarantee the proper application of international labour standards providing for decent jobs and decent job creation.

The Employer members would reiterate that the ILO Centenary Declaration is clear in stating that: "International labour standards ... need to protect workers and take into account the needs of sustainable enterprises ...", thus recognizing that protecting workers and taking into account the needs of sustainable enterprises should go hand in hand. The Employers

therefore trust that the Committee of Experts will duly take into account the needs of sustainable enterprises in its supervisory work, including when determining the scope and meaning of obligations under ratified Conventions. Giving due attention to the needs of sustainable enterprises would, in fact, improve the balance and thus the relevance and acceptance of the Committee of Experts' recommendations. The Employers will pay particular attention to this point when considering the Committee of Experts' comments on ratified Conventions.

On the collaboration with the UN

The Employer members also noted from paragraph 61 onwards that a thematic discussion to commemorate the 75th anniversary of the Universal Declaration of Human Rights and Convention No. 87, took place this year.

While the Employer members support the idea of creating synergies between ILO standards and different UN Human Rights treaties, we would like to stress the distinct nature and content of the individual instruments, as well as the distinct mandates and competences of the individual treaty bodies concerned.

In particular, it is important not to blur the differences between Convention No. 87 on the one hand and the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights on the other. Although the protection of freedom of association is included in all instruments, the modalities of protection are different. It should also be noted that these instruments were adopted in different contexts and with different intentions. Of particular importance is the fact that the ILO, unlike the UN, is a tripartite organization. Tripartite participation in standard-setting and supervision is a special feature that fundamentally distinguishes Convention No. 87 from the other UN human rights instruments.

Finally, we would like to emphasize that although the Committee of Experts has a specific technical mandate for the monitoring of ILO standards, it does not represent the ILO standards monitoring system as such and cannot speak on its behalf.

In conclusion, the Employer members would like to affirm their ongoing commitment to the ILO standards supervisory system. In order for ILO standards supervision to have real and lasting impact, it needs to be balanced and take duly into account the situation and needs of ILO's three constituents.

In this spirit, we look forward to cooperating with Government and Worker representatives at this session of the Committee.

Chairperson – I now pass the floor to Mr Marc Leemans, Worker Vice-Chairperson.

Membres travailleurs – Je tiens d'abord à souhaiter la bienvenue à la représentante de la commission d'experts, M^{me} la juge Thomas-Felix, et au président du Comité de la liberté syndicale, professeur Kalula, qui nous honorent de leur présence.

Et, comme de coutume, je souhaite rappeler que, pour le groupe des travailleurs, l'objectif de cet échange n'est pas d'exposer les divergences qu'aurait un groupe ou l'autre avec la commission d'experts. Nous le percevons plutôt comme une opportunité afin de discuter sur un pied d'égalité quant aux voies et aux moyens permettant d'accroître l'efficacité du système de contrôle.

Et donc par exemple, on ne voit pas pourquoi la commission d'experts, qui a un fonctionnement indépendant et impartial, devrait s'abstenir de faire des commentaires concernant le droit de grève. Le fait que la question soit pendante devant la Cour internationale de Justice n'entraîne aucune conséquence en ce qui concerne le travail de contrôle exercé par la commission d'experts. Et, bien entendu, cela n'influe en rien sur celui de notre commission.

Les membres travailleurs ont pris note avec beaucoup d'intérêt des différentes thématiques discutées au sein de la commission d'experts, telles que reflétées dans ce rapport. Et les membres travailleurs rejettent les demandes faites à la commission d'experts de justifier de manière détaillée les choix des doubles notes de bas de page. Ce choix appartient à la commission d'experts. Cette demande constitue une nouvelle atteinte à l'indépendance de la commission d'experts, ce que nous ne pouvons cautionner.

Je tiens également à souligner que nous avons entendu ces derniers mois de grandes odes au dialogue social. Et ces discours grandiloquents ne sont pas compatibles avec des pratiques qui consistent à émettre des réserves sur le résultat de ce qui a été négocié. Il en va de même des remarques visant à préempter les éventuelles conclusions de discussions en fixant des limites. Cela est d'autant plus vrai que cela n'apporte aucun élément neuf par rapport au *modus operandi* suivi par notre commission depuis plusieurs années sans problème.

Les membres travailleurs ont pris note avec beaucoup d'intérêt des différentes thématiques discutées au sein de la commission d'experts, telles que reflétées dans ce rapport. Mais le temps imparti à notre discussion ne permet pas de tout aborder de manière exhaustive. Je vais dès lors revenir brièvement sur quelques aspects. Les membres travailleurs ont bien noté les développements consacrés au contrôle des normes dans un contexte d'austérité. Ils partagent donc le constat selon lequel la commission d'experts prend souvent connaissance des impacts des réformes économiques a posteriori, mais n'est jamais informée ex ante de l'élaboration et de la mise en œuvre de ces réformes.

Si l'on s'accorde à dire que l'un des éléments clés du futur contrat social doit porter sur la cohérence des politiques économiques et sociales, il serait nécessaire de remédier à cet aspect. Les membres travailleurs proposent que l'on réfléchisse aux moyens permettant à l'OIT de

jouer un rôle préventif en la matière. Il faudra certainement faire preuve de créativité, mais il s'agit d'un exercice porteur d'une plus-value.

Les membres travailleurs ont également pris note avec intérêt des éléments développés par la commission d'experts concernant la notion d'entreprise durable. Nous avons déjà eu l'occasion à plusieurs reprises d'expliquer notre point de vue en la matière. Je vais néanmoins me permettre d'insister sur quelques aspects.

D'abord, les membres travailleurs sont les premiers concernés par la durabilité des entreprises. Certains ont tendance parfois à l'oublier, mais ce sont les travailleurs qui contribuent à la production de biens et services. Et dois-je rappeler que, lorsqu'une entreprise doit cesser ses activités parce que la direction a fait de mauvais choix par exemple, les premières victimes sont à trouver parmi les travailleuses et travailleurs et leurs familles? C'est presque un pléonasme, mais il n'y a pas d'entreprise sans travailleurs. Ces derniers sont très attachés à la durabilité des entreprises. Comme le rappellent les conclusions de la discussion générale de 2007, l'une des conditions de la durabilité est le respect des droits des travailleurs.

Autre élément important, si nous soutenons la promotion des entreprises, c'est exclusivement dans la perspective d'une amélioration de la vie des travailleurs. Et contrairement à ce que certains ont pu dire, il ne s'agit pas pour nous de nier que les entreprises poursuivent des objectifs économiques légitimes. Nos travaux à l'OIT ne sont pas des discussions libres et en apesanteur. Elles s'inscrivent dans le cadre du mandat de l'Organisation et de sa raison d'être. Et par conséquent, la poursuite des objectifs économiques est une quête légitime, mais qui doit être placée au service des objectifs de l'Organisation et en particulier l'amélioration de la vie des travailleurs et de leurs familles. Et c'est à ce titre que, dans le cadre de l'OIT, les entreprises doivent être perçues comme un moyen, et non pas comme une finalité.

La recherche d'une optimisation du travail des organes de contrôle est une quête sans fin. On ne réalise jamais la perfection. Nous saluons le travail que fait le Bureau afin de rendre visible le travail de suivi des conclusions de notre commission. Et nous continuons à plaider pour que l'outil mis en place soit davantage développé afin de donner davantage de visibilité à l'énorme travail fait par le Bureau à cet égard.

En examinant les informations disponibles sur le site, nous pouvons constater que, dans leur grande majorité, les gouvernements réagissent de manière positive aux observations des organes de contrôle. Ce que nous apprécions énormément. Cela constitue une preuve de la crédibilité de notre système de contrôle et de la capacité du Bureau à jouer un rôle clé en la matière.

Je termine en relevant le compte-rendu que l'on retrouve dans le rapport quant à l'échange qui s'est tenu entre la commission d'experts et différents organes conventionnels de l'ONU. Cet échange s'inscrivait dans le cadre de la commémoration du 75^e anniversaire de la Déclaration universelle des droits de l'homme. Et cela illustre à nouveau la vitalité de la commission d'experts et sa capacité à s'ouvrir sur d'autres organes qui poursuivent une finalité similaire à la sienne. Il s'agit d'une nouvelle preuve de ce rapprochement qui doit être encouragé entre les organes dans le respect bien entendu des spécificités de l'OIT, comme le tripartisme, et des organisations auxquelles ces autres organes appartiennent.

Un bon dialogue ne heurte jamais.

Chairperson – Now I invite Madam Elise Lizin, the distinguished representative of Belgium to speak on behalf of the European Union.

Government member, Belgium (Ms LIZIN) – I speak on behalf of the European Union (EU) and its Member States.

The candidate countries North Macedonia, Montenegro, Serbia, Albania, Republic of Moldova, Ukraine, the European Free Trade Association (EFTA) country Norway, member of the European Economic Area, align themselves with this statement.

We would like to welcome and extend our best wishes to the Chair of the Committee, Vice-Chairs and the Rapporteur.

We welcome the discussion at the Committee on the Application of Standards, a crucial pillar of the ILO supervisory system. We strongly believe in the fundamental importance of international labour standards, their ratification, and the effective and authoritative supervision of their implementation.

We highly appreciate the analysis and expertise of the Committee of Experts shown in its annual report, which provides a solid basis for the work of the Conference Committee. We value and put our trust in the guidance provided by the Committee of Experts, which helps to implement international labour standards. We recall our strong commitment to the independence, objectivity, and impartiality of the Committee of Experts.

We would like to recall the importance of complying with reporting obligations and to do so in due time, as the functioning of the supervisory system is based primarily on the information provided by governments in their reports, as well as on the observations submitted by social partners. In this regard, we welcome the ongoing efforts to modernize and streamline the reporting system in order to ease the reporting burden on governments.

We appreciated the information session the Committee of Experts held for a second time with governments and look forward to a new meeting in 2024.

We share the concern of the Committee of Experts that multiple and interlocking crises, coupled with austerity measures, lead to increasing inequalities and are having an adverse impact on the application of international labour standards, leading to a stagnation or even a

regression in progress. We emphasize that in times of crisis, international labour standards acquire their full significance by providing guidance on a way forward.

We are regrettably in a situation where we are off track to reach the Sustainable Development Goal No. 8, on decent work and economic growth, with the social and environmental dimensions lagging behind the economic dimension. However, in the upcoming year there are historical opportunities to set the right momentum and reverse these trends. The EU and its Member States are currently providing input to the New York-based negotiations of the Pact for the Future. An ideal outcome of the Summit of the Future is a Pact which fosters social inclusion and social justice, social dialogue on advancing universal social protection, decent jobs and green and digital skills. Moreover, we see the upcoming World Social Summit as an important opportunity for the world to rebuild the social contract through a comprehensive approach based on human rights, social cohesion, solidarity and decent work. As recalled by the Committee of Experts, a new social contract, drawing upon the common values expressed in international labour standards, is more necessary today than ever.

Furthermore, the EU and its Member States have consistently and strongly supported Secretary-General Hounbo's flagship initiative to establish the Global Coalition for Social Justice and its ambition to advance social justice and decent work for all. One of its priorities is "realizing labour rights as human rights", which is fully in line with the objectives of the EU Action Plan on Human Rights and Democracy. To date, twelve EU Member States have joined the Coalition as partners along with the European Commission on behalf of the EU.

Last year and this year mark the 75th anniversary of Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), respectively. We recall the central and enabling rights' nature of these instruments and welcome the ILO's integrated

strategy for the promotion and implementation of the right to collective bargaining adopted at the Governing Body in autumn 2023.

We are pleased that the Committee of Experts continues to deepen its cooperation with the United Nations Human Rights Treaty Bodies, most recently through a thematic exchange on the fundamental right of freedom of association. This collaboration is crucial to enhance the effective fulfilment of human rights, including labour rights. We encourage further such exchanges as they provide scope for mutual inspiration, cooperation and synergies, while respecting the autonomous mandates of all bodies.

Let us share some latest legislative and policy advances through which we aim to contribute to further advance decent work. We work towards the ratification by all EU Member States of two new fundamental ILO Conventions on a safe and healthy working environment. We also aim to ensure that labour standards, as well as access to adequate social protection, are guaranteed for all workers, including those engaged in non-standard and new forms of work. We are therefore pleased to have reached a historical agreement on a new Platform Work Directive. This directive aims to ensure decent work for people on digital labour platforms. We look forward to the standard-setting discussion on this topic at the International Labour Conference in 2025.

We are committed to supporting partner countries through technical assistance projects to enhance the effective application of labour standards, with an emphasis on fundamental ILO Conventions. The ILO is our privileged implementing partner in these efforts. We promote decent work through the EU's bilateral and regional trade and investment agreements and unilateral preferential trade schemes. Recent legislative advances in this area show further increase of our focus on decent work in supply chains via a soon-to-be-adopted Forced Labour Regulation and a Corporate Sustainability and Due Diligence Directive.

Let us conclude by reiterating our full support to the well-functioning and authoritative supervisory system of the ILO, which is built on tripartism and social dialogue. This unique and robust system provides a valuable example of a multilateral rules-based order.

We are looking forward to a constructive engagement with tripartite constituents during the debate in this Committee.

Chairperson – I now invite Mr Gerardo Alfredo Corres, the distinguished representative of Argentina to take the floor.

Miembro gubernamental, Argentina (Sr. CORRES) - Muchas gracias, señor Presidente. En primer lugar deseo felicitar al Presidente de la Comisión, a la distinguida miembro de la Comisión de Expertos y al Profesor Kalula Presidente del Comité de Libertad Sindical. La Argentina es uno de los países con el mayor número de ratificaciones de los convenios internacionales del trabajo. Ha ratificado los primeros convenios fundamentales y últimamente el Convenio sobre la violencia y el acoso, 2019 (núm. 190).

Nosotros nos sentimos orgullosos de participar activamente en el sistema de control de la OIT, nos parece un instrumento de consideración de las conductas del Estado no inquisitivo sino colaborativo. En ese marco la importancia que tienen los dictámenes y las observaciones de la Comisión de Expertos para marcar las posibilidades y eficacias en el cumplimiento y en la construcción ética de un mundo sometido al comercio y al trabajo justo.

Quiero destacar la importancia del diálogo social como el instrumento base para la construcción de los consensos que tiene el sistema de control de la Organización Internacional del Trabajo, lo quiero manifestar en varios aspectos. Primero: el respeto en el marco de la convivencia entre los actores en el mundo del trabajo; segundo: en la oportunidad de buscar caminos concordantes para poder solucionar los temas vinculados a las distintas situaciones que se plantean en la observancia de los convenios de la OIT, y tercero: la eficacia, porque el

diálogo social permite una continuidad en el tiempo, en el tratamiento de las cuestiones, y en este aspecto también quiero destacar la labor de la Oficina como auxiliar para el cumplimiento de estos compromisos internacionales, siempre presente guiando a los Estados para mejor desenvolvimiento en sus obligaciones internacionales.

La otra razón que también quiero destacar es la importancia del trabajo de la Comisión de Expertos en otros ámbitos en el sistema de las Naciones Unidas. Aquí se habló del objetivo 8 de los Objetivos de Desarrollo Sostenible (ODS), de la importancia de las normas internacionales para un crecimiento con justicia y equidad entre las partes. Quiero destacar también la meta 8.7 vinculada a la erradicación del trabajo infantil y el trabajo forzoso como elementos sustentables para un mundo sin trabajo infantil y sin trata laboral.

Otro aspecto que nos parece importante es el respeto que la Comisión de Expertos y los informes de la OIT tienen en el sistema de las Naciones Unidas. Como en varias oportunidades, la Corte Internacional de Justicia se ha referido a los dictámenes de la OIT haciendo referencia a su importancia y a su eficacia. Esto ocurre también en la Corte Interamericana de Derechos Humanos, lo cual enaltece a este sistema, enaltece a los miembros de la Comisión de Expertos por la labor que hacen y a la Oficina en consecuencia también.

Finalmente creo que el sistema de control y el sistema de normas tiene un gran desafío, el desafío de las imposiciones civilizatorias que son las nuevas formas de trabajo, los avances de las técnicas, la economía de plataformas, la cadena de suministros que va a requerir de nuevas técnicas, nuevas alternativas y nuevas formas de asociarse entre los Estados y los actores sociales para buscar que, aún en esos ámbitos, se pueda construir un mundo con equidad.

Chairperson – I can see no more requests for the floor. As this was the last statement, we have concluded our general discussion today. As usual, the Committee will continue the

general discussion this evening with replies from Judge Thomas-Felix on behalf of the Chairperson of the CEACR, from the Representative of the Secretary-General, as well as the concluding remarks by the Vice-Chairpersons.

The sitting closed at 11.30 a.m.

La séance est levée à 11 h 30.

Se levantó la sesión a las 11.30 horas.