

► Record of Proceedings

5C

International Labour Conference – 112th Session, Geneva, 2024

Date: 2 July 2024

Plenary sitting: Report of the Committee on the Application of Standards

Contents

	Page
Report of the Committee on the Application of Standards: Presentation, discussion and approval	3

Friday, 14 June 2024, 3.55 p.m.

President: Mr Buzu

Report of the Committee on the Application of Standards: Presentation, discussion and approval

The President

We will now turn our attention to the report of the Committee on the Application of Standards. Part One of the report is contained in [Record of Proceedings No. 5A](#). Part Two is contained in Record of Proceedings No. 5B.

Please allow me to recall that the Officers of the Committee and its Reporter are: Mr Różycki (Poland), Chairperson; Mr Moyane (South Africa), Employer Vice-Chairperson; Mr Leemans (Belgium), Worker Vice-Chairperson; and Mr Siyoucef (Algeria), Reporter.

I now give the floor to Mr Siyoucef, so that he may present to us the Committee's report. The Officers will then take the floor.

Mr Siyoucef

Reporter of the Committee on the Application of Standards (Original French)

I am honoured to present the report of the Committee on the Application of Standards to the plenary of the 112th Session of the International Labour Conference. As a standing body of the International Labour Conference, this unique tripartite forum is authorized under article 10(1) of the Standing Orders of the Conference to consider measures taken by Member States to give effect to their obligations under Conventions that they have voluntarily ratified. It also considers matters linked to their reporting and other obligations under the ILO Constitution. The basis of this discussion is the annual report of the Committee of Experts on the Application of Conventions and Recommendations. I am pleased to report that the Committee fulfilled its mandate and managed to conclude its programme of work. The working methods of the Committee were agreed upon during informal tripartite consultations which were held in March this year.

The report of the Committee, which is now submitted to the plenary, comprises two parts. Part One contains the General Report, which includes: a record of the general discussion and of the outcomes of the Committee's discussion of the General Survey of the Committee of Experts, entitled *Labour administration in a changing world of work*; cases of serious failure by Member States to respect their reporting and other standards-related obligations; a record of a special sitting concerning the application by Belarus of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), in application of the resolution adopted by the International Labour Conference in 2023; and, lastly, 24 individual cases regarding the application of ratified Conventions. Part Two of the report contains the verbatim records of the discussions held in the Committee. As in previous years, this part of the report is submitted to plenary in the form of a trilingual patchwork document. The complete report, translated into the three working languages of the Conference, will be published on the Committee's website within 30 days.

I would like to highlight some of the main points of the Committee's discussions. This year, the general discussion again focused on the fruitful dialogue between the Committee on the Application of Standards and the Committee of Experts. As part of this dialogue, the two Vice-Chairpersons of the Committee on the Application of Standards participated in a special sitting with members of the Committee of Experts during the latter's annual session in December 2023. The Conference Committee noted that, in addition to this institutionalized dialogue, the Committee of Experts held an informal briefing session with Government representatives in December 2023. Moreover, this year the Conference Committee welcomed Judge Thomas-Felix, a member of the Committee of Experts, representing the Chairperson of the Committee of Experts, Judge Dixon Caton, who was unable to attend for reasons beyond her control. Judge Thomas-Felix participated as an observer and addressed the Committee during the opening and closing sittings of the general discussion. What I took away from her statement is the importance that the Committee of Experts attaches to constructive engagement and continued dialogue between the two Committees, and the will to continue to strengthen this dialogue. The Committee also had the pleasure of welcoming the Chairperson of the Committee on Freedom of Association, Professor Evans Kalula, who presented the annual report of his Committee, thereby highlighting the complementarity between the different supervisory procedures.

Our Committee welcomed the opportunity to discuss the subject of labour administration in a changing world of work, on the basis of the General Survey carried out this year by the Committee of Experts. The Committee highlighted the key role of labour administrations in facing challenges and seizing opportunities linked to changes in the world of work. It highlighted that the Labour Administration Convention, 1978 (No. 150), continues to be a relevant and flexible instrument, and reminded ILO constituents of the need to step up their efforts to ratify and implement it, with the technical assistance of the Office where necessary.

As I mentioned earlier, the Committee held a special sitting concerning the application by Belarus of Conventions Nos 87 and 98. The sitting followed up on the resolution adopted by the International Labour Conference at its 111th Session with a view to ensuring compliance with the recommendations of the Committee of Inquiry established to examine the application of these two Conventions by Belarus. Breaking with its practice of adopting conclusions by consensus, the Committee exceptionally adopted the conclusions on this case by vote. These are reflected in the Committee's report.

Lastly, the Committee adopted a list of 24 individual cases for examination. The Committee was able to consider all cases and adopt conclusions by consensus. Following the adoption of the conclusions, the governments concerned had the opportunity to express their views, which are reflected in the records contained in the Committee's report.

I would like to conclude my brief statement by thanking the Chairperson of the Committee, Mr Łukasz Różycki, a Government representative of Poland, for the competence with which he led our meetings, and the Employer Vice-Chairperson, Mr Kaizer Moyane, and Worker Vice-Chairperson, Mr Marc Leemans, for the spirit of cooperation which prevailed within the Committee. And, of course, I would also like to thank the Secretariat, led by the representative of the Secretary-General, Ms Corinne Vargha.

To conclude, I recommend that the Conference adopt the report of the Committee on the Application of Standards.

Mr Moyane**Employer Vice-Chairperson of the Committee on the Application of Standards**

On behalf of the Employers' group in the Committee on the Application of Standards, I would like to endorse the Committee's report and recommend its approval. Overall, the Employers are pleased that the Committee was able to successfully conclude its work at this session.

I would like to make a few remarks on the various sections of the report. First, the general discussion. In the discussion of the General Report, the Employers' group highlighted several important issues of concern that need to be addressed. We would like to reiterate our request that the needs of sustainable enterprises be systematically taken into account by the Committee of Experts on the Application of Conventions and Recommendations in supervising ILO Conventions. Not only would this contribute to more balance and acceptance in the Committee of Experts' standards supervision, but it is also called for by the ILO Centenary Declaration for the Future of Work. Let me quote from the Declaration: "International labour standards also need to respond to the changing patterns of the world of work, protect workers and take into account the needs of sustainable enterprises, and be subject to authoritative and effective supervision."

Regrettably, there is a persisting view among some members of our Committee that sees enterprises as only a means to an end – in other words, a means to achieve workers' welfare and well-being. This view only serves to downplay or even undermine the value and relevance of sustainable enterprises in the world of work. It should be noted that the setting up and operation of enterprises depend on the initiative and commitment of entrepreneurs. In doing so, these entrepreneurs, while paying tax and complying with applicable rules, make use of their right to pursue their legitimate economic objectives. They are not just objects that are committed to a public purpose. Without an enabling environment, entrepreneurs will not start businesses or may close them down. They will not create or maintain decent jobs, produce goods and services or pay taxes, and thus will not provide the benefits to society that sustainable enterprises can. Therefore, when applying and supervising ratified ILO Conventions, which, by definition, serve to protect workers, the needs of sustainable enterprises should always be kept in mind and incorporated into the definition of the respective obligations. After all, this is the imperative of the ILO Centenary Declaration, and the Employers would like to see it reflected more clearly in future Committee of Experts' assessments of compliance with ratified Conventions.

Second, the Employers recall once again that the referral of the dispute on the right to strike in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), requires the ILO, including the Committee of Experts, to take a neutral position on the topic. This is necessary to protect the integrity of the advisory opinion process, which the ILO should not be seen as interfering in or anticipating the outcome thereof. For the Committee of Experts, this means that it should suspend its recommendations on the right to strike in Convention No. 87, or at least make a visible reference in its report to the fact that this matter is contentious, that this issue is currently before the International Court of Justice for an advisory opinion, and that the Committee of Experts' recommendations on the right to strike require confirmation by the International Court of Justice. If the Court has not issued its advisory opinion by the next session of the Committee of Experts in November 2024, the Employers expect the Committee of Experts to address this issue in the manner described above, or in a similarly appropriate manner.

Third, the Employers would like to recall the need to make the ILO standards supervisory system more effective. This is not just a question of streamlining reporting or facilitating reporting on standards through electronic means. The objective should be to achieve better compliance on the ground, which is evidenced by a decreasing volume of comments by the Committee of Experts. I think we should all be able to agree on this objective. A first step in this regard is to help countries take a more careful and deliberate approach to ratification. The high number of comments of the Committee of Experts suggests that either ratifications are premature or made without proper pre-ratification assessments, or that outcomes of pre-ratifications are not considered. The Office should, in its promotional activities on ILO Conventions, advise constituents on how to approach ratification. Ratification should not just be considered a political statement or a declaration of intent, but rather what it actually is: a treaty under international law that is to be complied with, and that compliance needs to be properly prepared. The Employers are convinced that if ratification was addressed in a compliance-oriented manner, application of ratified Conventions would be much improved. As a result, the supervisory system would be less burdened and could focus on more serious cases. In order to have a more solid basis for devising appropriate assistance regarding ratification, we suggest that the Office undertake a study to examine the circumstances of ratifications made by Member States in recent years. The goal is simple: ensuring that once a Convention is ratified, the deriving obligations are complied with.

Regarding the discussion under the General Survey, which this year addressed the two ILO instruments on labour administration, the Labour Administration Convention, 1978 (No. 150), and the Labour Administration Recommendation, 1978 (No. 158), the Employers consider that an effective labour administration is key for protecting workers and contributing to an enabling environment for entrepreneurship and sustainable enterprises, as called for by the Centenary Declaration. Well-functioning labour administrations also ensure resilience or stability in labour markets in times of crisis, as has been demonstrated in the financial crisis of 2008 and the recent COVID-19 pandemic. The General Survey also showed that Convention No. 150 and Recommendation No. 158 are remarkably flexible instruments that are indeed universally applicable, in that they limit themselves to defining essential objectives, functions, actors and working methods of labour administrations, and they are open to different national situations, as well as to new developments and needs. The golden thread in both standards is tripartite cooperation in labour administration for the benefit of employers and workers. For these reasons, the Employers also consider that Convention No. 150 is a model instrument whose structure, content and flexibility features should be analysed and taken into account in future standard-setting. Finally, the Employers noted from the General Survey that the positive potential of labour administrations is not yet fully recognized and developed in many ILO Member States. The Employers, therefore, hope that the discussion of this General Survey will help spread good practices and, in this way, help to further labour administration.

With regard to the individual cases, I will make two comments: first, on the case of Belarus on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). This year we had a special sitting in the context of the Conference resolution concerning measures recommended by the Governing Body under article 33 of the ILO Constitution regarding Belarus. The discussion unfortunately showed that the Belarusian Government is not in the least willing to cooperate with the ILO to work towards compliance with its obligations under Conventions Nos 87 and 98. The Employers consider the Belarusian Government's call for a vote on the Committee's conclusions, and the Government's subsequent declaration that it will not accept the CAS conclusions despite the adoption by a large majority, as an unprecedented affront to the Committee and to the ILO's standards supervisory system as a whole.

The second case on which I will comment is Nicaragua, also on Convention No. 87. This case concerns very serious allegations against the Government for dissolution and confiscation of the assets of the Higher Council for Private Enterprise (COSEP) and its 18 member associations, as well as persecution, intimidation, repression and arbitrary detention of COSEP leaders. We urge the Government to immediately restore the legal status of the dissolved organizations and to fully and unconditionally recognize the right of independent employers' and workers' organizations to organize their activities without any interference that would restrict this right. We also expect the Government to strengthen effective social dialogue at the national level, with a presence of the ILO, in order to rebuild trust with the social partners. The Employers would have liked to see this case mentioned in the special paragraph of the General Report. Unfortunately, this did not receive the support of the Workers' group, and so the Employers are asking themselves, if this case, which can hardly be surpassed in terms of urgency and severity, cannot be mentioned in a special paragraph, what other case could?

With regard to conclusions on individual cases, let me emphasize that we have once again tried to formulate short, clear and balanced conclusions that address the problems and possible solutions in a fair and equitable manner. This year, however, we had to realize that the time available was often insufficient, as we had a total of 25 cases to discuss this year, including the first article 33 discussion on Belarus. We strongly suggest limiting the total number of cases to 24 again next year. The conclusions should accurately reflect the discussion that occurred in the Committee. This is important to ensure the credibility and transparency of the ILO standards supervisory system.

With regard to follow-up to the Committee's conclusions, and the final point on the report itself, I would like to reiterate the importance of systematically involving the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV) in the follow-up to conclusions, in order to make sure that independent and representative workers' and employers' organizations in their respective countries can help find ways of complying with the Conventions that adequately take account of their needs.

In conclusion, although there exists a margin for improvement, the Employers are overall satisfied with the operation of the Committee's session this year. Consensus was reached where possible, and disagreements were reflected where necessary. In our opening remarks to the Committee, we identified room for further improvements on balance, transparency, relevance, effectiveness and tripartite governance of the Committee, and we made some concrete and constructive proposals. We invite all Committee members and the Office to consider them with an open and constructive spirit.

I would not be doing justice to my report if I did not mention and give special thanks to the way our Chairperson, Mr Różycki, helped us to navigate the sometimes very difficult discussions, in a very fair and parliamentary manner, which allowed us to reach the conclusions that we did. A big thanks to him. Allow me also to extend a word of thanks to the Employers' group, specifically Paul Noll, Annick Hellebuyck, Fernando Yllanes Martínez, Jackie Van Der Meulen, Guido Ricci Muadi, Michael Congiu, Laura Giménez, Paul Mackay, Miriam Pinto Lomeña, Juliana Manrique Sierra, Tala Khoury and Pablo Carrasco Quintana, for their support and assistance in preparing and presenting the Employer perspective on the individual cases and the General Survey. I would also like to thank my friend, and a very good opponent at that, Marc Leemans, the Worker Vice-Chairperson, and his team, and all the Government representatives who actively participated in the work of the Committee to enrich the discussions as well, and allow us to reach constructive and productive conclusions. Lastly, I would like to express particular gratitude for the absolutely invaluable support of Rita Yip, Altea Rossi and Emilie Villet from the International Organisation of Employers, and Christian Hess

and María Ángeles Palmí Reig from ACT/EMP. Without these people's support, I really would not have been able to deliver my part on these conclusions.

Mr Leemans

**Worker Vice-Chairperson of the Committee on the Application of Standards
(Original French)**

As the Reporter has highlighted, our Committee was able to conclude its work successfully and our discussions were characterized, as they are every year, by very lively debates.

We have had the opportunity to discuss the role of and interactions between the Committee of Experts on the Application of Conventions and Recommendations and the Committee on the Application of Standards. The Workers' group reiterated its commitment to respect for the experts' independence and impartiality. We will continue to reject attempts made to issue injunctions to the experts and to call into question their working methods in an unjustified way. The Employers' group reaffirmed its position concerning the right to strike and was disappointed that the experts continued to issue observations on this matter while there are proceedings before the International Court of Justice. Our group also reminded everyone of its position on the subject. Further, it stressed that the ongoing proceedings should not have any impact on the work of the supervisory bodies. For several years, the Committee on the Application of Standards has had a *modus operandi* that allows it to do its work. The ongoing proceedings were decided upon by the Governing Body after concluding that all social dialogue routes had been exhausted in this matter.

In another respect, the Employers' group seems to believe that the Committee of Experts should integrate the needs of enterprises into its supervisory work. This is a rather absurd request. Contrary to what is commonly claimed, the ILO Centenary Declaration for the Future of Work (2019) (Centenary Declaration) does not provide any basis for this request. The Centenary Declaration does call for standards to reflect the needs of sustainable enterprises, but it is in no way directed at the supervisory bodies. Similarly, the time when these considerations should be taken into account is at the stage when standards are adopted and not when supervising their application. The Centenary Declaration should be read in full. It insists on the importance of a supervisory system that is authoritative. We may thus ask: what would remain of the authority of a supervisory system that would seek to reflect the wishes and desires of one of its groups of constituents?

I would also raise the point that, despite its merits, the Centenary Declaration must be read in conformity with the Organization's mandate. Whether one likes it or not, this mandate is based on respect for workers' rights and the improvement of their living conditions. We sometimes hear it said that, in order for there to be workers' rights, there must first be enterprises to create jobs. Those who say this seem to overlook the reason why this Organization was created. Economic forces did not need the ILO or the existence of social legislation in order to develop. It was in reaction to the exploitation produced by these economic forces that social legislation came into being. With its body of standards, the ILO is the guarantor of this legislation at the international level. These standards are there to impose limits on the logic of profit and to rein in economic forces.

Further, it is generally accepted that economic activity is not sustainable if it does not respect workers' rights. This discussion that we have had on the role of sustainable enterprises has not been limited to our Committee. It is a debate that has been held elsewhere too within this Organization, and this is why it is high time to make a clarification on this matter.

The ILO's standards do not recognize rights of enterprises. They do recognize employers' rights, such as freedom of association, but not rights of enterprises. Within the Organization, the interlocutors of workers are employers and not representatives of the business world. This distinction is crucial in order to prevent misunderstandings. Employer is a social role that is exercised within the framework of professional relations with workers and their representatives, and these relations are engaged in with a view to negotiating working conditions that improve workers' lives. To come to the ILO to plead that it take into account the needs of enterprises on the same level as workers' rights is to come to the wrong forum.

Our Committee had the opportunity to examine and reach conclusions on 24 individual cases on our list. The case of Belarus, which was further discussed at a special sitting, gave rise to clear and specific conclusions. We lament the fact that our Committee required a vote in order to adopt them. This voting procedure is not in line with the methods of work and practices of our Committee. Some speakers justly pointed out that this did not serve as a precedent, but was an aberrant example. Consensual conclusions adopted by our Committee prompted contrasting reactions on the part of the Governments concerned. We welcome the constructive attitude of the Governments of Australia, Spain, Guinea, Gambia and Colombia.

Others, however, had a negative attitude. We deplore the statements made by the Governments of Cambodia, the Philippines and Nicaragua following the adoption of the conclusions. The conclusions adopted by our Committee are not sanctions. They are an integral part of the tools of social dialogue that are available to this Organization. We call upon the Governments to see these tools as an opportunity to improve their level of compliance with the obligations they have undertaken. Our Committee has also adopted conclusions concerning the General Survey. The General Survey had as its theme labour administration, which represents a crucial means of leverage for attaining social objectives and promoting decent work.

I have referred to the debates and differences we have had within our Committee. However, our capacity to overcome these obstacles to reach consensus is a testimony to the sense of responsibility felt throughout our Committee. The Employers' group insists on the importance of a convergence of views between our Committee and the Committee of Experts in order to improve the effectiveness of the supervisory system. However, there is another type of convergence that is even more important. That is the one that should exist between the Employers' group and the Workers' group. That is the relationship that will allow us to overcome the numerous challenges that threaten the world of work. We need to stop scrutinizing our differences to look instead in the same direction and seek consensus around common interests. Thank you for your attention and I would very much like to thank all those who took part in our Committee's debate.

Mr Różycki

Chairperson of the Committee on the Application of Standards

I am very honoured to take the floor this afternoon in my capacity of Chairperson of the Committee on the Application of Standards at the 112th Session of the International Labour Conference, as we approve our Committee's report. The Committee on the Application of Standards is one of the key committees of the International Labour Conference and, together with the Committee of Experts on the Application of Conventions and Recommendations, is at the heart of the supervisory system for which the ILO is known. It is therefore a great honour and privilege for me personally, and for my country Poland, to represent the Government group and to be given the responsibility for chairing the Conference Committee on the Application of Standards this year.

I hope the Committee members will allow me the indulgence of repeating myself, but I find it very important to stress, once again, that the International Labour Organization and its supervisory system have special meaning for my country. Democratic changes in Poland would not have been possible without ILO assistance, which, effectively implemented over the course of many years, has borne fruit. It was the rise of Solidarity, or *Solidarność* in Polish, in the 1980s, the first independent self-governing trade union in the Eastern Bloc, established in line with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), that truly highlighted the significance of this assistance. The story of an electrician named Lech Wałęsa scaling the walls of the shipyard at Gdańsk 44 years ago still resonates almost half a century later. The imposition of martial law in Poland a few years later, followed by the suppression of all trade unions by the Government, resulted in the ILO establishing a Commission of Inquiry to monitor the situation in my country. Based on the Commission's conclusions, the ILO and numerous countries and organizations urged Poland to fulfil its obligation under ILO Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The Polish Government subsequently recognized *Solidarność* and finally granted it legal status. According to Lech Wałęsa, leader of *Solidarność* and later President of Poland, the Commission of Inquiry created by the ILO after the imposition of martial law made significant contributions to changes which brought democracy to Poland. From there, the road first opened in 1980 ultimately led to the transition to democracy, European Union membership, the 20th anniversary of which we celebrate this year, and Poland's new role in the international arena. The example of Poland illustrates that the International Labour Organization and its well-functioning and authoritative supervisory system continue to play a crucial role in ensuring the implementation of, and compliance with, international labour standards. Chairing the Committee on the Application of Standards, after all these key historic moments that are so important for my country, and seeing how the architecture of this Organization, this tripartite system and these international labour standards remain relevant, if not essential, given the very serious nature of the challenges we all face, was a special moment for me.

During this session, the Committee discussed matters that were particularly topical, including the question of labour administration, which is the subject of the General Survey. As for the examination of individual cases, the discussions were able to proceed as scheduled, and all the cases on the list were examined within the time available.

As we are all aware, the unique tripartite structure of the ILO was founded on social dialogue. Therefore, I regret that despite the well-established practice of the Committee on the Application of Standards of taking decisions by consensus, as well as protracted attempts by the Committee's Vice-Chairpersons and myself to seek convergence or flexibility, not all the conclusions could be adopted by consensus. Notwithstanding, I welcome the fact that this year the conclusions of the Committee on the Application of Standards are action-oriented, ambitious and achievable. Again, the discussion was rich and passionate. We heard different and even opposing views, but these were always expressed with respect for the views of others, in parliamentary language and in a way that reflected a firm commitment to standards and the supervisory system.

I would like to take this opportunity to thank all the delegates for their commitment and for the constructive spirit in which they participated in the work of the Committee. The success of our work was illustrated by the fact that the two rooms allocated for it were very often full. All of this is testimony to the interest generated by the discussion of the Committee and, more generally, highlights the relevance and importance of the supervisory system.

To conclude, and to echo those who have spoken before me, if I had to use just a few words to summarize the work of our Committee, they would emphasize the important role of the Committee in promoting social justice as the foundation of the global recovery to ensure that the future is human-centred, as advocated by the ILO Director-General. Let us not forget that the issues discussed by the Committee on the Application of Standards are and will remain central in the lives of Workers and Employers promoting decent work and social justice for all.

There are numerous people who have helped me reach this point who I would like to thank. I would like to start with the Government group. Poland is a member of the Eastern European group, the European Union and the group of industrialized market economy countries. I would like to thank those groups for placing their trust in me and for all their support. I would like to express my sincere appreciation in particular to the Employer Vice-Chairperson, Mr Kaizer Moyane, and the Worker Vice-Chairperson, Mr Marc Leemans, for their cooperation, professionalism and constructive understanding. I would like to thank the respective spokespersons for both sides, for the Workers and the Employers, for their contributions to the work of the Committee. I would also like to thank the Reporter, Mr Abdelkrim Siyoucef from the Government of Algeria for his efficient work and for his accurate account of the work of our Committee.

Finally, I wish to take this opportunity to pay tribute to the Office for its commitment, professionalism and high quality guidance throughout the sittings of our Committee. In particular, I would like to express my sincere and very special gratitude to the representative of the Secretary-General of the Conference, Ms Corinne Vargha, for her immense support and guidance throughout these two weeks and well before the beginning of the work of the Committee. Thank you for your expertise, which enabled this Committee to play its pivotal role within the ILO's constitutional framework. I would also like to thank all members of the Secretariat for their cordiality, dedication, professionalism and support. Their efforts to deliver high quality work for the International Labour Organization are commendable. Filled with a deep sense of pride and accomplishment for what we have achieved, I recommend that you approve the report of the Committee on the Application of Standards.

The President

I now declare open the discussion of the report of the Committee on the Application of Standards.

Ms Mbouzie Ahanda Épouse Abah

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

We would like to begin by thanking the Committee of Experts on the Application of Conventions and Recommendations for the quality of the documents that served as a working basis for our debates.

Our thanks also go to the Officers of the Committee, particularly to the Chairperson, Łukasz Różycki, for the quality of the leadership that typified the conduct of our work. We further thank the International Labour Office for the professionalism shown in the organization and management of the work, and finally the interpreters, without whom we would not have been able to communicate.

The Africa group also thanks the Employers' group, the Workers' group and all the Governments that participated in the work of the Committee for the solidarity expressed, the mutual understanding shown despite differences in interpretation and the mutual respect

which made it possible to reach the conclusions that are being submitted to the Conference for adoption. These conclusions will guide the work of the ILO and its tripartite constituents in respect of the application of standards.

The Africa group reaffirms the importance of international labour standards, which constitute the fundamental legal basis for social justice at a time when the world is seeing growing inequalities and when workers are the victims of climatic, environmental, demographic and other changes. In assessing the application of Conventions, it should be remembered that, although these are binding legal instruments, the integrated policies and strategies arising from the reports should take into consideration the social, political and economic realities of each region of the world and of each country.

In our region, there continue to be numerous challenges related to the effective application of Conventions and the deployment of efficient labour administration in a changing world of work. Several countries are making efforts and are cited for their good practices. However, many of us still need technical assistance from the International Labour Office to manage the integration of standards into the legal corpus of each country and to consolidate a structured, relevant and sustainable social dialogue.

In conclusion, the Africa group supports the approval of the report of the Committee on the Application of Standards.

Ms Lizin

Government (Belgium), speaking on behalf of the European Union and its Member States

I have the honour to speak on behalf of the European Union and its Member States. North Macedonia, Montenegro, Ukraine, the Republic of Moldova, Albania, Bosnia and Herzegovina, Georgia, Iceland and Norway align themselves with this statement.

I would like to start by warmly thanking the Chairperson of the Committee on the Application of Standards for his efficient leadership of the discussions and his very good time management. We also extend our warm thanks to the Vice-Chairpersons and the Reporter for their constructive spirit, contributions and efficiency, and to the Office for its dedicated support and guidance.

We welcome the discussions and the constituents' positive approach to and engagement in the work of the Committee. However, we very much regret that not all decisions could be adopted by consensus this year, thus going against the long-established practice of the Committee. Nevertheless, we are pleased to have reached concrete conclusions, which will provide guidance on the way forward to effectively implement international labour standards in law and practice. We strongly believe in the fundamental importance of international labour standards, their ratification, and the effective, independent and authoritative supervision of their implementation. We share the view that human rights, including international labour standards, are fundamental to relations between people and nations.

The Committee on the Application of Standards is a crucial pillar of the ILO's supervisory system and embodies the core values of the ILO, based on social dialogue and tripartism. It enables all constituents to discuss the implementation of ILO Conventions in a constructive, respectful and tripartite manner. We highly appreciate the analysis and expertise of the Committee of Experts on the Application of Conventions and Recommendations, 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 are very pleased that the Committee of Experts continues to deepen its cooperation with the United Nations human rights treaty bodies in order to enhance the effective fulfilment of human rights, including labour rights.

Realizing labour rights as human rights is one of the priorities of the Global Coalition for Social Justice, an initiative strongly supported by the European Union and its Member States. Through the EU Action Plan on Human Rights and Democracy, we put increased emphasis on human rights, including labour rights. We attach great value to the General Survey of the Committee of Experts. It helps us to analyse difficulties in the application of standards and identify means to overcome them. Labour administration and inspection systems have faced great challenges during recent economic crises and COVID-19, and we welcome this year's timely General Survey on the matter, and its recommendations for improvement.

We welcome the fact that the conclusions of the Committee on the Application of Standards are more action-oriented. They provide guidance to the constituents and foster the commitment of the ILO Member States. We encourage Member States to comply with the conclusions to the greatest extent possible and, where appropriate, with the support of ILO technical assistance, which may also entail missions.

We will continue to fully support and reinforce the ILO's supervisory system. We remain convinced that it is one of the most extensive and valuable elements of the multilateral, rules-based order. We are looking forward to constructive engagement with the Office and the tripartite constituents in the follow-up to the conclusions of the Committee.

Ms Varfalameyeva
Worker (Belarus)
(Original Russian)

I represent 4 million workers in Belarus. I have been working for more than 20 years and collaborating with the ILO over this time. Over the course of the past two weeks at the Conference, we have heard lofty words about the need for solidarity between all countries in order to ensure social justice for workers across the world. However, when it comes to the Republic of Belarus, the International Labour Organization continues to promote extremely unfair restrictive measures, which are directed against effective employment, decent income and the social protection of workers in our country.

The workers of Belarus, whom I represent, do not agree with the decision adopted on Belarus. We are indignant that the issue of Belarus continues to be considered in an extremely prejudiced and biased manner. The real evidence of the effective work of trade unions in Belarus is simply ignored. Equality between all Members of the Organization, pluralism of views, democracy and openness are the fundamental rules that govern the ILO and they must not be violated by anyone.

Appeals to international organizations working in health, child protection, and industrial and nuclear security to limit their collaboration with our country, as set out in the resolution, are also designed to reduce the level of socio-economic development in the country and to reduce the protection afforded to its people. As a specific example of this: in our country today, precisely because of these sanctions and restrictions, a number of Western manufacturers are refusing to supply Belarus with medicines that are necessary to treat and alleviate the suffering of children with serious genetic diseases, and supplies of medical equipment are being disrupted. Belarus is dealing with this challenge but I would like to ask all the instigators of sanctions: how are you in a position to say anything about human rights? Who gave you the right to deprive people of vitally important assistance?

We call upon the ILO to refrain from this utterly unproductive and unfair approach towards our country and to return to the fundamental principles that govern the work of this Organization.

The President

We shall now proceed with the approval of the report of the Committee on the Application of Standards.

If there are no objections, may I take it that the Conference approves the report, as contained in Records of Proceedings Nos 5A and 5B?

(The report is approved.)

I would like to congratulate the Officers and members of the Committee and the Secretariat on the work accomplished this year. My warmest thanks to them all. Good job. Let me emphasize that the work of the Committee on the Application of Standards is one of the cornerstones of the ILO.

(The Conference continues its work in plenary.)