



Governing Body

353rd Session, Geneva, 10–20 March 2025

Legal Issues and International Labour Standards Section

LILS

Minutes of the Legal Issues and International Labour Standards Section

Contents

	Page
International Labour Standards and Human Rights Segment	
1. Proposed form for reports requested under article 19 of the ILO Constitution in 2026 (GB.353/LILS/1).....	3
Decision	4

International Labour Standards and Human Rights Segment

1. Proposed form for reports requested under article 19 of the ILO Constitution in 2026 (GB.353/LILS/1)

1. **The Employer spokesperson** said that the form for reports to be submitted under article 19 of the ILO Constitution in 2026 should be aligned with the reporting obligations of Member States set out in that article. The questions should cover all the substantive provisions of the Termination of Employment Convention (No. 158) and Recommendation (No. 166), 1982, although it was not necessary to include a specific question for each provision, and the language of the questions should be aligned with the language used in the instruments. The questions should not go beyond the scope of the instruments, and any questions that did not appear to have a basis in the provisions of the Convention and Recommendation should be marked as optional. The questions should also not imply the existence of any legal obligation to implement the provisions, since they were not legally binding and, in any case, the form would be completed by countries that had not ratified the Convention and Recommendation. Her group considered that the proposed form fulfilled the aforementioned criteria and therefore supported the draft decision.
2. **The Worker spokesperson** said that the proposed form contained clear and comprehensive questions that would elicit valuable information on the legal and practical application of the standards set out in Convention No. 158 and Recommendation No. 166, as well as on any obstacles to ratification. Members' replies to the questions contained in the form should prompt a comprehensive discussion by the Conference Committee on the Application of Standards, the outcome of which would guide the future action to be taken by the Office in that area. The replies would also constitute a valuable source of information for the discussion on those instruments that would be held by the Standards Review Mechanism Tripartite Working Group in 2027. The General Survey came at a crucial time for workers, as the world faced multiple crises that were giving rise to uncertainty and unemployment. It was to be hoped that it would shed light on the practical application of Convention No. 158 and Recommendation No. 166 in respect of all forms of work, including new ones. She supported the draft decision.
3. **Speaking on behalf of the Africa group**, a Government representative of Ethiopia acknowledged the vital contribution that reporting under article 19 of the ILO Constitution made to efforts to assess the implementation of ILO instruments. Her group welcomed the steps taken to prepare the General Survey, which would enable the Office to assess how Member States were applying Convention No. 158 and Recommendation No. 166 in national legislation, to determine areas for further progress and to identify challenges to ratification. She underlined that, owing to the detailed nature of the questions and the need to base answers on tripartite consultations, technical assistance should be provided to Member States to ensure timely completion of the form. She supported the draft decision.
4. **Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)**, a Government representative of Peru said that the information provided in the framework of the annual General Survey in 2026 would give the Committee of Experts on the Application of Conventions and Recommendations a comprehensive overview of legislation and practices concerning the termination of employment relationships around the world, enabling it to analyse the obstacles currently preventing the ratification and implementation of Convention No. 158 and Recommendation No. 166. He underscored the importance of compliance with

article 19 of the ILO Constitution, noting that governments in the region sought to provide accurate reports on legislation and practices of relevance to the implementation of ILO instruments based on open consultations. Indeed, article 19 reports were central to the ILO's unique supervisory system. Noting that the draft report form contained an appropriate number of questions, he indicated that his group supported the draft decision.

5. **Speaking on behalf of the group of industrialized market economy countries (IMEC)**, a Government representative of the United States of America said that his group attached importance to both the selection of instruments and the choice of questions for General Surveys, which were a key element of the ILO's standards-related work. He welcomed the Office's efforts to produce a concise and focused report form for the General Survey in 2026, noting that it was important to include user-friendly questions that elicited relevant information from governments. The lessons learned from drafting forms for reporting under article 19 could also be relevant when considering the possible development of thematic implementation report forms under article 22 streamlining efforts. His group supported the draft decision.
6. **A representative of the Director-General** (Director, International Labour Standards Department) confirmed that the Office would continue its established practice of holding webinars to provide technical assistance to civil servants who were tasked with preparing their countries' replies to the questions contained in the form.

Decision

7. **The Governing Body:**
 - (a) **requested governments to submit reports for 2026, under article 19 of the ILO Constitution, on the Termination of Employment Convention (No. 158) and Recommendation (No. 166), 1982;**
 - (b) **approved the report form concerning the instruments set out in the appendix to document GB.353/LILS/1.**

(GB.353/LILS/1, paragraph 6)