

Committee on the Application of Standards	CAN/PV General Survey End
Commission de l'application des normes	03.06.25
Comisión de Aplicación de Normas	

113th Session, Geneva, 2025

113^e session, Genève, 2025

113.^a reunión, Ginebra, 2025

Warning: this document is a draft and may contain omissions or errors. It is made available solely for the purpose of verification and correction. Persons referred to in this document are not to be regarded as bound by statements attributed to them. The ILO declines all responsibility for any errors or omissions which this document may contain, or for any use which may be made of it by third parties.

Avertissement: ce document est un projet, qui peut comporter des omissions ou des erreurs et n'est rendu public qu'à des fins de vérification et de rectification. Les mentions contenues dans ce document provisoire n'engagent pas les personnes dont les propos sont rapportés. La responsabilité du BIT ne saurait être engagée à raison des éventuelles erreurs et omissions entachant ce document, ou de l'utilisation qui pourrait en être faite par des tiers.

Advertencia: el presente documento es un proyecto y puede contener omisiones o errores. Solo se publica a efectos de comprobación y rectificación. Las declaraciones que se atribuyen en el presente documento provisional a las personas citadas en él no comprometen su responsabilidad. La OIT queda exenta de toda responsabilidad respecto de cualquier error u omisión que pudiera figurar en el presente documento o que pudiera derivarse del uso del documento por terceros.

Troisième séance, 3 juin 2025, 15 h 00
Third sitting, 3 June 2025, 15 p.m.
Tercera sesión, 3 de junio de 2025, 15 horas

Président: M. Tabai
Chairperson: Mr Tabai
Presidente: Sr. Tabai

Président – Bienvenue pour notre troisième séance.

Nous allons poursuivre notre discussion sur l'Étude d'ensemble. Avant cela, je vous annonce la publication, sur la page Web, du document D contenant les informations écrites soumises par le gouvernement de Sri Lanka (concernant la convention (n° 138) sur l'âge minimum, 1973) et de la Zambie (concernant la convention (n° 29) sur le travail forcé, 1930).

Nous avons encore une demande de prise de parole. J'invite le distingué représentant de la Fédération syndicale internationale IndustriALL, M. Hector Mareque, à prendre la parole.

Observer, IndustriALL (Mr MAREQUE) – The General Survey on Achieving Comprehensive Employment Injury Protection aligns with and reinforces the commitment undertaken by IndustriALL Global Union to a rights-based approach to occupational health and safety and inclusive compensation for work-related injuries and illnesses.

Achieving comprehensive employment injury protection for all workers goes to the heart of providing a social security safety net for all workers, regardless of their gender, employment status or occupation, including those in nonstandard forms of employment, such as temporary and casual forms of employment, as well as those workers in casual and part-time work and those employed in the platform economy.

One of IndustriALL's key objectives is to work towards the ratification, implementation and respect for all international labour standards.

Therefore, we welcome the first-ever opportunity to review together the law and practice of all ILO Member States with respect to employment injury protection.

Progress achieved in occupational safety and health in recent decades notwithstanding workplace accidents remain widespread worldwide, including in industriALL Global Union sectors.

As emphasized by the Committee of Experts, mining and manufacturing are among the most hazardous sectors.

ILO data indicates that mining only accounts for 1 per cent of the global workforce, but it is responsible for about 8 per cent of fatal accidents at work.

Further efforts are needed to ensure that workers in these sectors are adequately protected from occupational hazards and in the event of an accident or illness, they can fully access employment injury protection schemes.

In this regard, we echo the Committee of Experts' broader call to Member States to ensure that employment injury protection schemes cover all four contingencies and that they meet the minimum parameters established under Conventions Nos 102 and 121 as regards to medical care and cash benefits.

We further support the Committee of Experts' call to Member States to extend the definition of work-related accidents to commuting accidents in line with Convention No. 121 and its Recommendation.

This is very important for industriALL and its affiliates, particularly in our mining and maritime sectors.

We can no longer ignore the compounding effect of climate change, including the risks posed by environmental degradation and heat stress on workers' safety and health.

In this regard, we echo the Committee of Experts' call to give effect to the 2015 ILO guidelines for a just transition which highlights the importance of adequate social protection systems to build resilience in the context of climate change and contribute to offsetting its impact on livelihoods, incomes and jobs.

Lastly, but equally important, we support the Committee of Experts' recommendation to include compensation coverage for post-traumatic stress disorder as an occupational disease resulting from workplace violence and harassment.

This is particularly important in light of the specific vulnerabilities faced by women in the mining sector.

Achieving comprehensive employment injury protection in and of itself is not sufficient without recognizing the imperative of creating a preventative occupational health and safety culture.

Président – Nous avons encore une demande de prise de parole. J'invite le distingué représentant du gouvernement de la République-Unie de Tanzanie, M. Kiseku, à prendre la parole.

Government member, Republic of Tanzania (Mr KISEKU) – The United Republic of Tanzania wishes to express its sincere appreciation to the ILO for the timely and insightful report achieving comprehensive employment in general protection and for its continued guidance in the promotion of decent work worldwide.

The United Republic of Tanzania has made significant strides in aligning its national policies with international labour standards.

The establishment of workers compensation fund (WCF) and the workers compensation act of 2015 exemplifies Tanzanian dedication to safeguarding workers in both the public and private sector against occupational injuries and diseases.

We are pleased to report that the design and operation of the WCF are aligned with the key principles of Convention No. 121 including conveyance, the provision of medical care, rehabilitation services and periodic payments to injured workers or the dependence of diseased workers based on the no fault and collective financing principles.

The Government of United Republic of Tanzania participated fully in this General Survey.

We are feeling our commitment to transparency and shared learning on employment in general protection systems.

United Republic of Tanzania places great value on the protection of its workforce.

In a deliberate effort to enhance both prevention and compensation the Government has brought occupational safety and health authority and workers compensation fund under one

ministry, the ministry responsible for labour to ensure a coordinated approach that prioritizes prevention before compensation.

We also recognize that the majority of our labour force is in the informal economy and we are making deliberate efforts to extend protection to this segment.

However, we acknowledge the complexities involved and we respectfully request the continued technical assistance of the ILO in designing scalable inclusive mechanisms that ensure no worker is left behind.

United Republic of Tanzania affirms its commitment to the ILO standards and to build a comprehensive sustainable employment in general protection system that responds to the evolving needs of workers in all sectors.

Président – Comme c'était le dernier orateur, je donne maintenant la parole à M. Postma, vice-président travailleur, pour ses remarques finales. Monsieur Postma, vous avez la parole.

Worker members – The rich discussions today on the General Survey have underscored the vital importance of employment injury protection. The ILO has a clear mandate to safeguard workers' social security rights, particularly in cases of workplace accidents or occupational diseases. This core commitment is enshrined in the ILO Constitution which emphasizes the protection of workers against sickness, disease, injury and disability arising from their employment. This commitment is further reiterated through key ILO documents including the Philadelphia Declaration, the ILO Declaration on Social Justice for Fair Globalization and the ILO Centenary Declaration on the Future of Work.

These documents collectively stress the need for social protection systems that are not only sustainable and appropriate but also adaptable to the evolving world of work. They call for systems that provide basic income and comprehensive medical care to all workers in need

of protection. However, as the General Survey clearly reveals, there is still work to be done. The number of workers and families affected by employment injury continues to be alarmingly high with marked regional disparities. These challenges are both global and local in nature, further exacerbated by natural disasters, public health crisis and industrial accidents, all of which have profound impact on workers' lives and well-being. In this context, robust social security systems including employment injury schemes are essential both as social buffers and as economic stabilizers ensuring that the pressing needs of affected workers and their families are met.

Climate change has escalated risk for workers, especially those working outdoors in agriculture, construction and transportation. These workers face heightened vulnerabilities to extreme weather conditions including heat stress. Therefore, extending employment injury protection to these sectors is not only necessary but urgent.

Similarly, low-wage workers, very often migrant workers, are disproportionately exposed to employment injury risk, and regions with weak protection systems have notably higher injury rates.

New technologies also present both challenges and opportunities in the context of occupational safety. These technologies can introduce new risk but also hold the potential to improve reporting systems, case management and fraud detection. The introduction of new technologies should therefore be a subject of social dialogue between partners to ensure that their deployment is equitable and effective.

Another key issue that emerged in our discussions is the urgent need to expand the scope of protection to include all workers, particularly those most at risk of employment injury. These include workers in the informal economy, self-employed workers, platform workers and those in high-risk industries such as agriculture, mining, manufacturing, and construction.

Additionally, seafarers, fishers, domestic workers and migrant workers must also be considered and there we want a gender approach always included.

In terms of the material scope of employment injury protection, it must be as comprehensive as possible. This includes coverage for commuting accidents, psychosocial risk and mental health disorders, particularly those arising from workplace violence and harassment. Injured workers should receive comprehensive medical care aimed at restoring and improving their health and ability to work. This care must be provided for as long as necessary and should not be subject to arbitrary duration limits. Imposing co-payments or qualifying periods based on employment length or insurance contribution can prevent workers from accessing essential care. Member States must ensure that medical care is provided free of charge for the entire duration of the contingency reflecting a strong commitment to the well-being of workers. Investing in the care economy benefits not only injured workers but society as a whole and Recommendations Nos 69 and 202 should be fully considered when designing these systems.

Our discussions also highlighted the critical link between preventive measures and social security. Investments in robust systems are essential to prevent work-related accidents and diseases which incur significant human, social and economic costs. Member States must prioritize education, training and research aimed at identifying the root causes of work-related accidents and occupational diseases and develop effective prevention strategies.

As per Convention No. 121, each Member State is obligated to take measures to prevent industrial accidents and occupational diseases. This includes investing in preventive medical services, occupational safety and health education, awareness campaigns and research into the root causes of accidents. Additionally, Member States must strengthen collaboration

between insurance schemes and the authorities responsible for occupational safety and health.

Vocational rehabilitation and employment services are also critical for restoring the employability of workers affected by disability, including those injured on the job. Ensuring the continuation of cash benefits during rehabilitation is vital to guarantee income security, preventing workers from being forced to return to work prematurely.

Social dialogue is central to the design and implementation of employment policies, particularly in efforts to prevent and eliminate employment-related discrimination against persons with disabilities. Such dialogue ensures that policies are inclusive, fair and aligned with the needs of affected workers.

Employment injury schemes should be anchored in social insurance with compulsory coverage for workers, sustainable financing through resource pooling and effective management structures. States bear the ultimate responsibility for the administration of social security institutions and services, including the provision of benefits.

They must guarantee the financial sustainability of the systems, ensuring that adequate resources are available to cover the cost of benefits, administration, preventive measures and rehabilitation services.

The Worker members further emphasizes the importance of social dialogue in ensuring the good governance and efficient operation of employment injury protection schemes.

Social partners possess unique insights into the specific needs of workers and should be actively involved in the design and implementation of these systems.

Additionally, we echo the Committee of Experts' call for ensuring that foreign workers as well as the dependants of deceased workers who have lived abroad have access to the benefits

they are entitled to. To facilitate this, it is crucial for countries to establish and implement bilateral and multilateral social security agreements to ensure the portability of employment injury benefits.

Moreover, Member States must implement strong compliance and enforcement mechanisms to guarantee the effective functioning of both public and private insurance systems. This includes the establishment of efficient inspection and monitoring systems, strategies to combat contribution evasion and the imposition of dissuasive penalties for non-compliance.

In conclusion, while not all Member States have ratified the most recent instrument on employment injury protection, the General Survey reveals that many national laws and practices already align with these instruments.

Therefore, we strongly encourage Member States to ratify Convention No. 102, Part VI, and Convention No. 121.

Président – Merci beaucoup, Monsieur Postma, pour vos remarques finales.

Je donne à présent la parole à M^{me} Sonya Janahi, porte-parole des employeurs, pour faire sa déclaration.

Employer members – To conclude, the Employer members wish to stress the following points.

Companies are committed to promoting and safeguarding the safety and health of their workers, as the maintenance of their activities depends on this.

Companies are working to adopt measures, especially in the area of prevention, that make workplaces safer, while also advocating for the reduction of bureaucracy, simplification

and cost reduction that the current occupational safety and health system imposes on companies.

The Employer members strongly agree that preventive measures significantly contribute to reducing employment injury rates, lessening the financial burden on insurance institutions and strengthening the sustainability of employment injury benefit schemes.

In relation to gaps in coverage in the public and private sectors, we insist that the coverage of self-employed, as provided by Recommendation No. 121, is done only where it would be in accordance with national laws.

Regarding the statement that agriculture is one of the most hazardous sectors of the economy in terms of fatalities, injuries and work-related ill health in paragraph 539, we also encourage that employment injury protection schemes cover all employees, including agricultural wage earners.

However, with regard to encouraging Member States to consider taking steps to extend the relevant provisions of the national legislation on employment injury benefits to all agricultural wage earners, as provided by Article 1 of Convention No. 12, we raise that this, again, must take into consideration national laws and context. The dangers in this sector are not really different from those observed in other sectors. It is necessary to correctly use the different notions and terms in the field of safety and health at work, for example danger, risk, effect or probability.

The Employer members welcome the point that one of the important aspects of the principle of equality of treatment between national and foreign workers is the possibility of transferring employment injury benefits abroad.

We agree that for this purpose, legal, administrative and practical obstacles need to be overcome to effectively ensure the principle of equality of treatment and the due provision of employment injury benefits.

Shared responsibility is crucial in administering employment injury benefits.

In light of this, we also welcome the fact that many public and private institutions administering employment injury schemes have a tripartite Governing Body composed of representatives of the Government, Workers and Employers.

Further, the participation of social partners in the management of employment injury protections schemes can contribute to good governance and informed decision-making, as well as maintaining and strengthening public trust.

We agree that complaint and appeal mechanisms must be fair, accessible, affordable, transparent and expeditious, including for foreign workers and their dependants residing abroad.

In the employer's view, inclusive, sustainable and well administered employment injury schemes are an important component of the social protection systems.

ILO supervisory bodies should promote an inclusive and balanced implementation, in consultation with the most representative social partners, to ensure that national realities and circumstances are adequately taken into account.

In closing, we highlight that the ILO Centenary Declaration emphasizes the pivotal role of social protection. Notably, it calls upon all members to strengthen the capacities of all people to benefit from the opportunities of a changing world of work through "universal access to comprehensive and sustainable social protection" so as to better support and protect workers and employers during their life and work transitions.

This requires commitment and collaboration at country level between ministries and public institutions responsible for social protection, including ministries of economy and finance, sectoral ministries and workers' and employers' organizations.

Président – Merci, Madame Janahi, pour votre intervention.

Nous avons maintenant terminé notre discussion sur l'Étude d'ensemble. Je voudrais informer la commission que l'adoption du résultat de la discussion sur l'Étude d'ensemble est prévue pour l'après-midi du mercredi 11 juin.

Nous poursuivrons nos travaux avec la discussion des cas de manquements graves des États Membres à leurs obligations de faire rapport et à d'autres obligations liées aux normes, et la clôture de la discussion générale.

La séance est levée à 15 h 30.

The sitting closed at 3.30 p.m.

Se levantó la sesión a las 15.30 horas.