

Committee on the Application of Standards

Commission de l'application des normes

Comisión de Aplicación de Normas

CAN/PV
General discussion closure
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Quatrième séance, 3 juin 2025, 16 h 50 (suite)

Fourth sitting, 3 June 2025, 4.50 p.m. (cont.)

Cuarta sesión, 3 de junio de 2025, 16.50 horas (cont.)

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

Discussion générale – Clôture

General discussion – Closure

Discusión general - Clausura

Président – Nous passons maintenant au prochain point de notre ordre du jour avec les réponses de M. le juge Lacabarats, le président élu de la commission d'experts, et de la représentante du Secrétaire général, M^{me} Corinne Vargha, ainsi que les remarques finales des vice-présidents de la commission sur la discussion générale.

J'invite M. le juge Lacabarats à prendre la parole.

Membre de la commission d'experts (M. LACABARATS) Tout d'abord, je souhaiterais remercier la commission pour l'opportunité de cet échange. Cet échange contribue à renforcer l'interaction et les liens entre nos deux commissions qui partagent le même mandat, le même engagement, la même volonté de renforcer le respect et la pleine application des normes internationales du travail dans le monde.

À l'occasion de ma première participation aux travaux de votre commission, je voudrais vous dire que c'est un honneur et un privilège d'assister à vos discussions et de pouvoir observer le tripartisme en action dans l'enceinte du dialogue social par excellence.

Je souhaite vous remercier pour toutes vos interventions et les remarques constructives concernant les travaux de la commission d'experts. La réponse à certaines des questions évoquées se trouve dans la partie générale du rapport de la commission que vous discutez cette année. En tant que président de la commission d'experts, je ne manquerai pas de relayer l'ensemble des points que vous avez abordé auprès des autres membres de la commission. Nous allons en discuter en profondeur lors de notre prochaine session, y compris au sein de la sous-commission sur les méthodes de travail, afin de continuer le dialogue constructif entre nos deux commissions.

Je note également que nos deux commissions valorisent nos échanges et notre complémentarité ainsi que la collaboration que la commission d'experts continue d'entretenir avec les organes des Nations Unies. J'aimerais insister sur certains points qui ont été évoqués:

- Premier point: l'importance des normes et du système de contrôle au sein de l'Organisation dans un contexte géopolitique difficile et exigeant. Soyez assurés que la commission d'experts est consciente des attentes qui sont placées à son égard. La commission reste vigilante et déterminée pour que, dans le respect de

l'indépendance, de l'impartialité et de la rigueur, son expertise collective donne lieu à des commentaires susceptibles de produire des effets tangibles dans les pays concernés et d'assurer le respect des droits garantis dans les normes internationales du travail.

- Deuxième point: les méthodes de travail. Comme vous le savez, la commission d'experts discute régulièrement de l'amélioration de ses méthodes de travail et a souvent fait preuve de dynamisme et de pragmatisme à ce sujet dès lors que le contrôle en sortait renforcé. J'ai écouté avec attention les informations concernant le projet de rationalisation du système de présentation des rapports. Tout comme les partenaires sociaux, la commission d'experts espère que les changements introduits faciliteront le travail des mandants en leur permettant de s'engager toujours plus dans le dialogue avec la commission d'experts. L'objectif commun est bien évidemment de permettre à nos deux organes de contrôle de s'acquitter de leur tâche dans les meilleures conditions et de disposer des informations actualisées et de qualité de la part des mandants tripartites. La commission d'experts n'a de cesse de répéter l'importance que revêt la transmission de ces informations pour être au plus près de la réalité de chaque pays.
- Troisième point: la discussion de l'Étude d'ensemble. De nombreux orateurs se sont exprimés sur ce sujet qui est très important pour le monde du travail et qui est particulièrement d'actualité. L'Étude d'ensemble, en proposant une vue globale de l'état des législations et pratiques nationales contribue à favoriser la réflexion de toutes les parties prenantes.

À propos de l'Étude d'ensemble, je voudrais également revenir sur certains des points qui ont été soulevés ce matin:

- Tout d'abord, je prends note des vues exprimées par de nombreux orateurs concernant le rôle important du droit à un environnement de travail sûr et sain et sur la nécessité de renforcer la prévention des accidents du travail et maladies professionnelles. La mise en œuvre de mesures de sécurité et de santé au travail contribue en effet à la viabilité financière des régimes d'indemnisation en cas d'accident du travail et de maladies professionnelles.
- Par ailleurs, l'Étude d'ensemble a reflété les différents systèmes de protection contre les accidents du travail et maladies professionnelles dans leurs contextes nationaux respectifs. Je voudrais souligner que, bien que les conventions et recommandations de l'OIT examinées permettent une diversité de régimes, les exigences minimales et les paramètres établis par ces instruments doivent toujours être respectés.
- Autre point, je voudrais me faire l'écho du constat fait par de nombreux mandants concernant les lacunes existantes en matière de couverture et la nécessité d'étendre la protection à tous les travailleurs. La nécessité d'inclure la dimension du genre dans la protection contre les accidents du travail et maladies professionnelles, notamment dans les professions à prédominance féminine, a fait l'objet d'une attention particulière lors de la rédaction de l'Étude d'ensemble.
- J'observe en outre que l'importance de protéger les travailleurs contre les risques psychologiques et les troubles mentaux, ainsi que de renforcer les mesures de lutte contre la violence et le harcèlement sur le lieu de travail, a aussi été soulignée.
- Pour terminer, je voudrais rappeler que l'Étude d'ensemble se fonde principalement sur les rapports présentés par les gouvernements et sur les observations reçues des organisations de travailleurs et d'employeurs. L'Étude d'ensemble reflète les positions exprimées dans ce contexte. Le rôle pertinent des partenaires sociaux et

l'importance de promouvoir le dialogue social sont des éléments clés pour faire progresser la protection contre les accidents du travail et maladies professionnelles.

Président – Je donne à présent la parole à M^{me} Corinne Vargha, représentante du Secrétaire général, pour son intervention sur ce point à l'ordre du jour.

Representative of the Secretary-General (Ms VARGHA, Director of the International Labour Standards Department) –As representative of the Secretary-General, I have been following very closely and attentively your discussion of the General Report of the Committee of Experts. I wish to pick up only on two issues that were addressed, which will also echo, in a way, the responses delivered by the Chair of the Committee of Experts.

The first item concerns the proposal to streamline reporting, which many of you commented upon, and the second concerns the question of ILO technical assistance, to which many of you also referred in your interventions.

With respect to the proposals to streamline reporting, I really do welcome the wide support for and interest in the proposals currently being developed and I wish to reiterate my enthusiastic call to all the delegates attending the Conference to reach out to the Secretariat, to Mr Horacio Guido in particular, should you wish to engage in more in-depth discussions. In an early morning meeting with one delegation, we had a very useful discussion about the specificity of the reporting modalities that countries need to respect, and all these interactions help us fine-tune our proposals moving forward. So please do not hesitate.

But one of my takeaways is probably that we should stop calling these proposals “streamlining” or “rationalizing” reporting, because this is leading to some kind of misunderstanding that what we are after is working on, or improving, the reporting mechanics

while the proposals go far beyond just fixing or fine-tuning the reporting mechanics of the regular reporting obligations Member States have to comply with.

There should be no doubt in anyone's mind regarding the ultimate objective pursued by the proposals. From now on, what I will refer to as the "future of reporting" concerns further strengthening the impact of the regular supervisory bodies, and, as I said, improving what is important in itself. The modalities for reporting and increasing the impact of the regular supervisory bodies call for a number of things, starting certainly with facilitating the engagement of Member States by enabling timely submissions of quality reports responding to the comments made by the Committee of Experts and to your Committee's conclusions, should there be any. This obviously presupposes that governments follow-up on the Committee of Experts' comments as well as the conclusions of the Conference Committee, when a specific country case is discussed.

I will come back to that specific aspect of the follow-up in a moment, but further strengthening the impact of the regular supervisory bodies also calls for actually making much better use of the information contained in the regular reports to enable what some have referred to as "peer learning" from the many examples of compliant implementation of ratified instruments. We are currently exploring how to render that information publicly available in a user-friendly format to enable such peer learning, as well as to give more visibility to what is functioning. For the moment, what is visible is when there is a problem or something to fix, and what is hidden is information on compliant practices, and we need to address that. The proposals around the future of reporting are also aiming to enable that sharing of information.

In addition, strengthening the impact of the regular supervision also calls for making ILO technical assistance available when requested and quite a number of speakers referred to this in their statements, highlighting its usefulness, quality and timeliness. I just want to assure all

delegates attending this Committee that the Office does provide technical assistance at all stages. It does so prior to ratification, thus supporting the assessment of national laws and practice against the Convention that is being considered for ratification through what we call a gap analysis. In this regard, we are receiving many requests for undertaking gap analyses in recent years, particularly as concerns the two fundamental Conventions on occupational safety and health but also on the recently adopted [Violence and Harassment Convention, 2019 \(No. 190\)](#). All that work is being done on a regular basis and we do provide that technical assistance.

Furthermore, we also provide technical assistance post ratification, including what I would call “on-the-job training” to build reporting capacity. We do this in many ways. We have the Academy in Turin, which we conduct every year, but also the labour standards specialists posted across the regions. We have 13 of these specialists, who are close to your countries and who can come to your country and engage in technical meetings and discussions with your colleagues in charge of reporting.

Equally important, we also provide technical assistance to support the implementation of the Conventions themselves. This is a cross-office endeavour. For instance, this morning you discussed the General Survey touching on employment injury, as part of social security. To help countries implement the social security Conventions when we receive a request for technical assistance, we certainly call upon, as you would expect, the expertise available within the social protection department of the Office. This is therefore a joint venture across several policy departments in the Office. This is an example of how we deliver the requested technical assistance to support the implementation of Conventions.

Lastly we also prioritize technical assistance requests regarding the follow-up on the Committee of Experts comments, but also on the conclusions of the Conference Committee. I

just want to reassure you I have heard the call for even more systematic follow-up on the part of the Office, and this is certainly something we will be looking at doing even more systematically.

I just wish to finish on one note: all the comments you have made in respect of these two areas – the future of reporting, its importance, its interest and its opportunities, as well as the need for ILO technical assistance – will inform the discussion we are currently starting around the review launched by the ILO Director-General regarding how we can prioritize our services to better serve the constituents in the most efficient and least costly manner if I dare say, because as you know this is also a discussion undertaken in the context of a budget that would not enable us to further develop new areas of work, but rather calls on us to refocus on priority core areas. All the comments you have made in respect of the importance of technical assistance of the Office in respect of the ILO normative mandate will help to fully inform these discussions, and I want to thank you for that.

Président – Je voudrais inviter M. Moyane, vice-président employeur, à formuler ses remarques finales sur la discussion générale.

Employer members – We would like to thank the Committee of Experts for the thorough assessment of compliance by Member States with their obligations under ratified international standards, which gives our Conference Committee a basis to assess levels of compliance and determine what, if any, interventions are necessary to make improvements.

We would also like to thank Judges Dixon-Caton and Alain Lacabarats, the outgoing and incoming Chairs of the Committee of Experts respectively, for their presence and participation in our discussion of the General Report.

We have made suggestions during the discussion which we believe can serve to improve the integrity of the overall ILO supervisory system. This is especially relevant at a time when the multilateral system is facing several headwinds, including financial ones.

We are pleased that the constructive dialogue between our Conference Committee and the Committee of Experts will continue under the leadership of Judge Alain Lacabarats.

We believe that our two Committees, working together, can explore ways to improve the reporting process to achieve efficiency and effectiveness, and ultimately improved compliance with international labour standards. We are also encouraged by the Office's echoing of the importance of improving reporting, with the objective of easing the burden on Member States and, ultimately, improving the implementation of international labour standards. In this regard, we would invite Member States to avail themselves of any technical assistance that the office may offer.

As Employer members, we remain available, and we commit ourselves to working with the Committee of Experts and the Office in this process.

Président – Je donne maintenant la parole à M. Postma, vice-président travailleur, pour ses remarques finales.

Worker members – Let me start by thanking my Employer colleague and also the European Union for their interventions on the General Report. I also want to give a special thanks to the Chair of the Committee of Experts for his replies and ideas. For a number of the comments, our views are known, but we need to come back to a couple of the interventions as we conclude.

The promotion of the ratification of ILO Conventions and their ratification, as well as their implementation in law and practice, is core to the normative mandate of the ILO. It is also at the heart of the uniqueness of the ILO as a tripartite organization, where workers, usually the

subject of protection by way of rights, and employers and governments, motivated by the need to realize social and economic development through decent jobs, work together to achieve this normative mandate.

The setting, promotion, ratification and supervision of international labour standards is therefore of fundamental importance to the ILO, and, with specific reference to supervision and follow-up, puts our Conference Committee and the Committee of Experts at the centre of this normative mandate.

We could expect that governments take proactive steps in consultation with their social partners to make every effort to ratify ILO Conventions, especially the most modern Conventions, to always seek ILO technical assistance before and after ratification, and to rely on their international cooperation with other Members of the ILO to build best practices and mutual support and assistance in implementing the ratified Conventions.

We must emphasize that, for many, ratification is an important step in the quest for social and economic development. We must also emphasize here the need for effective follow-up to our conclusions and the comments of the Committee of Experts for social economic development.

On the right to strike, we addressed it yesterday and therefore will rely on that intervention. We expect that we continue to work together on the basis of how we have functioned since 2015.

On streamlining, we certainly must continue to seek ways to effectively deliver on our mandate, and we welcome the continuing dialogue in the Governing Body and with the Office.

We urge governments and the Office to ensure that, in respect of the article 22 reports, the first of June deadline does not negatively affect submissions by social partners. We urge the ILO to continue to assume its role as an institutional leader in the international human and

labour rights community and continue, in a complementary and collaborative manner, to deliver effective labour rights protections.

Président – Nous avons terminé ce point de l'ordre du jour.

La séance est suspendue à 17 h 15.

The sitting was suspended at 5.15 p.m.

Se interrumpe la sesión a las 17.15 horas