



Governing Body

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Institutional Section

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Report of the Director-General

First Supplementary Report: Report of the Tripartite Technical Meeting on Access to Labour Justice for All: Prevention and resolution of labour disputes (Geneva, 17–21 February 2025)

► Background

1. At its 349th Session (October–November 2023), the Governing Body decided to convene a Tripartite Technical Meeting on Access to Labour Justice for All: Prevention and resolution of labour disputes.¹ Given the interest of the tripartite constituents in the subject and the need to allow sufficient time for plenary and group discussions, the extension of the Meeting from three to four and a half days was subsequently approved by the Governing Body at its 352nd Session (October–November 2024).²
2. The Tripartite Technical Meeting took place in Geneva from 17 to 21 February 2025. The Meeting was chaired by Mr Jordan (Minister of Labour, Social Security and Third Sector of Barbados). The Government Vice-Chairperson was Ms Kamalova (Uzbekistan); the Employer Vice-Chairperson was Mr Moyane (South Africa); and the Worker Vice-Chairperson was Mr Vogt (United States of America). The Meeting was attended by 94 Government representatives and advisers (from 58 Member States), together with 39 Government observers (from 28 Member States), as well as 12 Employer and 12 Worker representatives, 3 Employer and 4 Worker

¹ GB.349/INS/2.

² GB.352/INS/22.

advisers, and 3 observers from United Nations agencies and intergovernmental organizations. In terms of gender composition, 42.5 per cent of all participants (including advisers) were women. Disaggregated by group, about 50 per cent of Employer, 42 per cent of Worker, and 32 per cent of Government representatives and advisers were women. In order to facilitate the work of the Meeting, the Office prepared a background report.³

3. The objective of the Meeting was “to make recommendations to the Governing Body on further steps to provide clear and integrated policy guidance of a normative or non-normative nature for achieving inclusive access to labour justice, through effective labour dispute prevention and resolution institutions and mechanisms, while considering generally accepted principles of effectiveness for access to labour justice and the diversity of legal and practical solutions to realize them.” Informed by the Meeting, the Governing Body would then “decide on subsequent actions, such as possibly placing an item on the agenda of a future session of the Conference.”⁴
4. In line with its objective, the Meeting addressed the following points for discussion:
 - What are the developments, opportunities and challenges to accessing labour justice for all in the world of work, at national, regional and global levels?
 - What has been effective and ineffective for labour dispute prevention and resolution systems, and what lessons have been learned?
 - What can governments and social partners do to strengthen labour dispute prevention and resolution systems? What normative and/or non-normative action can the ILO take to support constituents in providing access to labour justice for all, taking into account the elements identified in the background report, but not limited thereto, to provide clear and integrated policy guidance?⁵
5. The Meeting unanimously adopted conclusions setting out the challenges, opportunities and developments related to advancing access to labour justice for all; providing recommendations for future actions by the ILO and its Members; requesting the Office to continue to provide support to the tripartite constituents and their judicial and non-judicial bodies, in an integrated approach, towards advancing access to labour justice for all; and recalling that the generally accepted principles of effectiveness of labour dispute prevention and resolution for better access to labour justice identified by the Office should continue to guide ILO’s assistance in this area. These conclusions are set out in the appendix. Further information on the Meeting, including the record of proceedings, is available on the [website](#) of the Meeting.

► Draft decision

6. The Governing Body:

- (a) **took note of the conclusions of the Tripartite Technical Meeting on Access to Labour Justice for All: Prevention and resolution of labour disputes, as set out in the**

³ TMAJ/2025.

⁴ GB.349/INS/2, paras 33 and 34.

⁵ TMAJ/2025/3.

appendix to document GB.355/INS/16/1, and authorized the Director-General to publish and disseminate them;

- (b) requested the Director-General to take into account its guidance regarding future ILO activities in this area.

► Appendix

Conclusions

1. Having met in Geneva on 17–21 February 2025, the [Tripartite Technical Meeting on Access to Labour Justice for All: Prevention and resolution of labour disputes](#) recalled that access to labour justice is within the International Labour Organization's (ILO) mandate to promote social justice. It is essential for advancing decent work and good governance, as highlighted in international labour standards and International Labour Conference resolutions and conclusions.
2. Access to justice for all in the world of work is a pillar of the rule of law, as outlined in international and regional human rights instruments. Equality before the law demands justice systems that are accessible to all. In the world of work, resolute action to strengthen expeditious labour dispute prevention and resolution (LDPR) is needed, with due regard for due process.
3. Advancing access to labour justice supports the achievement of the Sustainable Development Goals, especially Goals 5, 8, 10 and 16. It is crucial for realizing labour rights and the effective implementation of international labour standards as mandated by the ILO Constitution.
4. Advancing access to labour justice aims to enhance both procedural and substantive justice, ensuring workers and employers can fully enjoy their rights and have their interests recognized. Effective and accessible LDPR systems are at the basis of fair, sound and equitable labour relations, social peace, human dignity at work, and an enabling environment for sustainable enterprises that promote full, productive and freely chosen employment and decent work for all.
5. Most countries have judicial, non-judicial and/or quasi-judicial systems to manage labour disputes. These systems have different challenges depending on the national context, including changes in the world of work, highlighting the need for accessible labour justice for all.

I. Setting the scene

6. Access to labour justice for all presents a number of challenges, opportunities and developments. Labour disputes, both individual and collective, impose human and financial costs on workers, employers, governments and society. Investing in prevention and resolution of labour disputes fosters decent work and stable labour relations. However, legal and practical barriers, including direct or indirect exclusions from the scope of legal and regulatory frameworks, constitute an obstacle to effective accessibility. LDPR systems vary but share common features. While there is no one-size-fits-all solution, judicial, non-judicial and/or quasi-judicial systems complement each other. In light of globalization and international trade, access to labour justice is not only a national issue but also a transnational one. While several LDPR mechanisms have been established in the context of supply chains, by trade agreements, and by international framework agreements, among others, their effectiveness varies and their complexity may pose challenges for workers and enterprises, especially small and medium-sized enterprises (SMEs).
7. Labour administrations and judicial authorities share a leading role in advancing effective LDPR, with adjudication remaining central to settling rights-based disputes. Specialized labour

courts with well-trained judges have proven successful in dealing with the specificities of disputes in the world of work. Alternative Dispute Resolution can help in preserving the relationships between the parties and reducing judicial backlog. Freedom of association, social dialogue, collective bargaining and workplace cooperation, including effective grievance handling, are important not only for preventing disputes from escalating, but also for establishing settlement procedures. The ILO [Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy \(MNE Declaration\)](#) and the [United Nations Guiding Principles on Business and Human Rights](#) provide useful guidance on access to remedy and effective grievance mechanisms. Labour inspectors play an essential role in labour dispute prevention, by advising employers and workers about the best way to comply with standards and enforcing labour laws. Innovations improving accessibility include decentralized, mobile and online dispute resolution services, particularly in remote areas and for vulnerable groups.

II. Recommendations for future actions by the ILO and its Members

8. Governments have the duty to adopt, effectively implement and enforce national laws and regulations, and to ensure that the fundamental principles and rights at work and ratified international labour Conventions protect and are applied to all workers taking into account other international labour standards. Governments have the responsibility to pursue national policies, with a wide scope of coverage, that ensure access to effective remedies and labour justice mechanisms accessible to all. They should sustain adequate levels of public investment to that end.
9. Governments should align the mandates of labour administrations, labour inspection services and other competent public authorities according to national law and practice, and dispute settlement services, taking into account relevant international labour standards and, where appropriate, the [ILO Guidelines on general principles of labour inspection, 2022](#).
10. In light of the above, governments, in cooperation with employers' and workers' organizations as appropriate, should:
 - (a) strengthen the rule of law and effective social dialogue and engage in good faith in LDPR;
 - (b) respect, promote and realize all Fundamental Principles and Rights at Work, in particular freedom of association and the effective recognition of the right to collective bargaining;
 - (c) establish and/or strengthen procedures, institutions and mechanisms for the prevention and resolution of labour disputes taking into account international labour standards;
 - (d) review national laws, regulations and practices to establish adequate safeguards to protect, among others, workers, employers, and their representatives from victimization;
 - (e) ensure equality and non-discrimination in access to labour justice, promote gender equality, address violence and harassment at work, and focus on workers and economic units operating in the informal economy, workers belonging to one or more vulnerable groups or workers in situations of vulnerability;
 - (f) assess and, where appropriate, leverage digital technologies to improve the accessibility, efficiency and fairness of LDPR mechanisms, including via investing in electronic case management systems, through consultation with the social partners to ensure that such technology does not create additional barriers;
 - (g) take active measures to develop effective LDPR systems, based on generally accepted principles of effectiveness listed below in paragraph 11(b), taking into account the above

findings and lessons learned regarding effective and ineffective action including engaging in appropriate training.

11. Based on these conclusions, the Office should continue to provide support to tripartite constituents and their judicial and non-judicial bodies, in an integrated approach, towards advancing access to labour justice for all by:
 - (a) promoting the ratification and effective implementation of international labour standards relevant to access to labour justice;
 - (b) providing capacity-building and technical assistance drawing on the generally accepted principles of effectiveness derived from comparative law and practices, and international labour standards. Ten of these principles apply to both judicial and non-judicial institutions, namely: *efficiency, speediness, accessibility, fairness, equality, accountability, independence, impartiality, professionalism* and *enforcement*. Three additional principles apply specifically to non-judicial institutions, namely: *voluntarism, confidentiality* and *prevention*. These complementary principles of effectiveness, reflected in the [ILO's diagnostic tool for self-assessing the effectiveness of LDPR institutions](#), should continue to guide ILO's support in this area. Further implementation of the diagnostic tool should be promoted, and information should be shared on lessons learned in this respect;
 - (c) providing guidance and technical assistance to constituents for the effective and responsible use of technology, including artificial intelligence, with a view to enhancing labour dispute resolution systems and other aspects of access to labour justice;
 - (d) supporting governments, employers' and workers' organizations, and multinational and national enterprises to take appropriate steps to ensure access to effective remedy for workers whose rights have been infringed in business operations, and support effective grievance procedures in line with the MNE Declaration (output 9 of the [ILO strategy on decent work in supply chains](#));
 - (e) with the support of the International Training Centre of the ILO and other regional and national actors, providing capacity-building to the tripartite constituents, lawyers, judges, labour administrators, conciliators, mediators and arbitrators on LDPR and international labour standards;
 - (f) sharing of best practices in effective LDPR, facilitating knowledge transfer, and promoting regional networks of dispute settlement services;
 - (g) undertaking further evidenced-based research on access to labour justice for all, to better inform the Office's technical assistance, including for workers and economic units operating in the informal economy, workers belonging to one or more vulnerable groups or workers in situations of vulnerability; new trends and developments in the nature of labour disputes and methods for their resolution; glossary of key terms; the human and financial cost of individual and collective disputes; the role of the social partners in LDPR; the linkages between state-based and non-state-based mechanisms; the linkages between transnational mechanisms and national labour justice systems; and the responsible use of technology in LDPR;
 - (h) enhancing efforts to collect data and statistics relevant to LDPR in line with international statistical standards, including statistics on industrial relations and labour inspections; providing support to constituents in this area, including through the better use of digitalized administrative records; undertaking a comprehensive review of available data sources, methods (including legal needs surveys) and possible indicators to measure the

effectiveness of access to labour justice; and strengthening its engagement with multilateral partners in relation to existing global indicators on access to justice, such as SDG indicator 16.3.3.