

Committee on the Application of Standards

CAN/PV General discussion

Commission de l'application des normes

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Comisión de Aplicación de Normas

114th Session, Geneva, 2026

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Segunda sesión, 2 de junio de 2026, 11.20 horas (cont.)

Second sitting, 2 June 2026, 11.20 a.m. (cont.)

Deuxième séance, 2 juin 2026, 11 h 20 (suite)

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López

Discusión general

General discussion

Discussion général

Presidenta - Invito a los dos Vicepresidentes a que hagan uso de sus declaraciones introductorias. Cedo la palabra a la Sra. Ann Vermorgen, Vicepresidenta trabajadora, para que haga su declaración.

Worker members - It is always a great honour for our Committee to receive the Chairperson of the Committee of Experts and the Chairperson of the Committee on Freedom

of Association. It is an important moment for the supervisory system of the ILO as its three pillars come together to reflect on how to supervise and promote the effective implementation of international labour standards. All three pillars share this common purpose, each which is own mandate composition and working methods. This moment should not aim at influencing how one pillar executes its mandate but should aim at emphasizing the complementary nature of each pillar with the others to realize the fundamental objective set out in the Constitution of the ILO.

Let us not divert from this objective and let us not interfere with the working methods of the other committees. The independence of our respective committees should be seen as the guarantee of a well-functioning supervisory system based on dialogue, accountability and the tools for the improvement of the identified violation or gap. As we have just heard, we celebrate this year the centenary of two of the supervisory committees. Would it be an exaggeration to say that both committees proved their relevance and fundamental importance during this time? Now is certainly not the time to weaken the supervisory bodies of the ILO.

On the contrary, more than ever, we need an effective and well-functioning supervisory system and a tripartite engagement that continues to support it. Celebrating the centenary of both our Committee and the Committee of Experts, we also recognize that the two bodies in 100 years of existence have shown evolution, room to improve and adapt and resilience, even in the most difficult times. It is in this context that we welcome the modernization of the supervisory system, including the streamlining of the article 22 and 23 reports as well as the introduction of the thematic implementation reports. This will impact the work of the Committee of Experts but also the work of our Committee. We are convinced that this evolution will occur keeping in mind our common preoccupation of effective supervision and implementation of international labour standards. It is also important to ensure that the transitioning and final implementation results in more legal clarity and not less.

At the moment, we may need to reflect some more on the clarity needed regarding situations where there are grouped observations and how they impact the selection of conventions for supervision by the Committee and the legal clarity of the guidance given in the conclusions of the Committee regarding those group of Conventions. We are confident that the Committee of Experts and the Office will ensure that the new reporting system does not weaken or water down the observations and recommendations formulated in its report. We in the Committee will also discuss at some point the areas in which our working methods are being impacted. The transition from the current reporting system to the new one needs to be organized.

We have seen that this transition bears consequences, as certain special notes requesting reports to be submitted outside the reporting cycle needed to be modified, and that the practice of urgent appeals has been suspended in 2025 except for first reports. We are confident that this new system, and indeed the transition period, will not lead us to throw away the practical and innovative mechanism that have helped to build a resilient and responsive Committee.

Ladies and gentlemen, let us note and share the appreciation by the Committee of Experts of the improvement in reports received this year. We know the efforts it takes for Member States to fulfil their reporting obligations and we should thank and acknowledge the Member States respecting their reporting obligations. This makes our supervisory system truly interactive and responsive as it was designed to be.

The remaining difficulties is with cases of serious failure to report and non-take-up of technical assistance when it is available. From the trade union side, we want to emphasize that there has been a substantial increase of observations communicated by workers' organizations compared to last year. We went from 607 observations last year to 744 observations this year,

which represents a little more than a 20 per cent increase. This shows the interest of constituents in the supervisory system, both in terms of an obligation but also in terms of the support it can give. In this respect, let me echo the Committee of Experts' consideration that, and I quote, "the combination of the work of the supervisory bodies and the practical guidance given to Member States through development cooperation and technical assistance has always been one of the key dimensions of the ILO supervisory system".

This consideration of the Committee of Experts is a fundamental reminder that even with the best institutional infrastructure, the supervisory system of the ILO and the Office must be given the necessary means to follow up on the findings of its supervisory bodies to assist Member States in complying with international labour standards and improve the working and living conditions around the world. We see in paragraph 95 of the Committee of Experts' report that the list of countries needing technical assistance is pretty long, and it is fundamental that every Member State of the ILO is granted the necessary technical assistance it needs. We also want to emphasize that the level of technical assistance provided should match the gravity and the complexity of the issues at hand, as well as the capacity of the Member State concerned to resolve these issues. In this respect, we commend the dialogue that the Committee of Experts continues to hold with other United Nations (UN) bodies and we want to encourage them to continue to nurture such dialogue. The respective mandates of all those UN bodies can make a decisive contribution to the protection and improvement of conditions of peoples and the planet. They are certainly linked to our mandate of social justice as we all work for the advancement of human dignity and labour rights in line with the declaration of Philadelphia and the International Bill of Rights.

Once again, I want to thank the Chairperson of the Committee of Experts and the Chairperson of the Committee on Freedom of Association for their presence and the dialogue we can conduct to deepen the reflection on how the complementary relationship between our

Committees can lead to delivering for workers and employers in the context of the mandate of the ILO.

Presidenta – Ahora le cedo la palabra al Sr. Kaizer Moyane, Vicepresidente empleador, para que haga su declaración.

Employer members – On behalf of the Employer members, I extend a warm welcome to the Chairperson of the Committee of Experts, as well as all members of the Committee to this general discussion. I congratulate the newly appointed members of the Committee of Experts who are not necessarily in this room, Professor Kevin Banks, Professor Sando Atila Kuhn, Judge Atalia Molokome and Judge Rosalinda Valles Juarez, and wish them every success in their new roles. We look forward to continued open dialogue with the Committee of Experts in our standard supervisory activities. Allow me now to outline a few issues that, as Employer members, we consider important for the ILO supervisory system.

First, the ILO reform and international standard system. The centenary of this Committee, together with the current ILO reform process presents an opportunity to reflect and consider ways to make our work more effective. From the perspective of the Employer members, the international labour standards system must be further attuned to the realities and constraints faced by employers and businesses on the ground, including economic uncertainty, technological change and the spread of artificial intelligence, demographic shifts and highly diverse national contexts. A renewed effort is needed to modernize the standard-setting process, strengthen governance across the supervisory system, including its regular and special procedures, and improve coherence between the standard-setting, supervision, technical assistance and capacity-building activities. Standards must remain credible, implementable and responsive to diverse national contexts.

While the protection of workers' rights remains a core objective, it must be pursued alongside the need to maintain an enabling environment for sustainable enterprises. Viable and resilient enterprises are a prerequisite for job creation, investment and achievement of lasting decent work. These objectives are mutually reinforcing and should be treated as such. In this regard, the Employers highlight the essential role of the Committee of Experts within the ILO standards supervisory system.

The credibility and effectiveness of the international labour standards oversight depends to a significant extent on the Committee's technical competence, independence and objectivity. In exercising this role, the Committee's comments on individual countries as well as its general reports should consistently reflect a pragmatic approach that takes into account the diversity of national situations, institutional capacities, and industrial relations systems, while also recognizing the importance of conditions conducive to sustainable enterprises. Striking this balance is critical to fostering national ownership, promoting compliance and preserving confidence in the supervisory systems overall. The second point I would like to reflect on is the status of compliance with ratified Conventions. Once again, the Committee of Experts' report runs into more than 1,000 pages containing 613 observations and 1,025 direct requests.

These figures continue to point to persistent and wide-ranging non-alignment with ratified Conventions or with the Committee's interpretations of them at least. This persistent pattern raises important questions regarding implementation readiness at the time of ratification. Effective ratification must be preceded by rigorous and tripartite pre-ratification assessments of the legal and practical implications for compliance with the Convention; consideration of the Committee of Experts' interpretations of the Convention texts; meaningful consultation with representative employer and worker organizations; clear national implementation plan; and a realistic appraisal of administrative and reporting capacity. Yet the

Committee of Experts has noted that 83 Member States require technical assistance in addressing gaps in law and practice in the implementation of ratified Conventions. This continued reliance strongly suggests that ratification too often takes place despite limited readiness for implementation.

We continuously hear of how some Governments have ratified the most Conventions. While that is laudable, I think ratification by itself should not be the end. It is the implementation in law and in practice that should matter. And that is where, in our view, the pre-ratification assessments would come in handy. The Employers reiterate that ratification is a step in a broader process of dialogue, national ownership and sustainable implementation.

We reaffirm that ratification reflects a legal commitment under international law, not a political aspiration. A more realistic and deliberate approach to ratification would improve implementation in practice, reduce repetitive comments and ease the growing burden on the supervisory system allowing greater focus on persistent and structural cases of non-compliance.

Moving on to the third area, promotion of international labour standards. In this context, the Employers believe that the Office should adopt a balanced and objective approach to the promotion of ratification. When Governments express an interest in ratifying new standards, the Office should prioritize pre-ratification assessments, enabling Governments to consult meaningfully with their social partners and determine whether effective implementation is realistically achievable.

With regard to the interpretation of labour standards, it is equally important that the Office respects the plurality of views among ILO constituents and allows space for tripartite discussion and decision-making, consistent with the ILO's unique tripartite governance model.

The fourth area is article 22, streamlining reporting. The employer supports the ongoing efforts to streamline reporting under Article 22 of the Constitution. This initiative has the potential to ease the reporting burden on ratifying States while improving the overall efficiency of the supervisory system. This matters because reporting remains an essential foundation for effective supervision of international labour standards and for informed, credible discussions within the Committee.

From the Employer's perspective, streamlining can only deliver meaningful results where governments have adequate institutional and technical capacity to report. However, we caution against reducing the discussion to reporting mechanics alone. While streamlining may improve efficiency, it should also be seen as an opportunity to strengthen the performance, proportionality and credibility of the supervisory system as a whole. In this respect, the Employers will continue to actively engage in and participate in all discussions related to the reform of the reporting system to ensure that our views are fully represented.

Within this broader context of supervisory governance, the Employers recall their earlier exchanges on the distinction between observations and direct requests made by the Committee of Experts. As already noted in previous years, we continue to see limited practical value in this distinction and question why substantive issues of technical nature or raised in a first report are addressed through direct requests which do not appear in the Committee's report and therefore are not subject to discussion at the Committee. This raises concerns about transparency and the visibility of compliance challenges. In light of the ongoing efforts to modernize the reporting system, the Employers reiterate their suggestion to discontinue the use of formal direct requests in order to free up the Committee's resources and streamline the process and trust that ongoing reform discussions will lead to greater clarity and consistency in the supervisory practice.

Now, to end, actors of the ILO supervisory system must play their role in fulfilling the goal set out in the ILO's Centenary Declaration which is, and I quote, "to have and promote a clear, robust, up-to-date body of international labour standards and to further enhance transparency. 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".

In conclusion, we affirm our commitment to the ILO's standard supervisory system and to its reform through constructive tripartite dialogue. We will continue to support improvements to the system and it remains our strong view that for the supervisory system to have a real and lasting impact, it must be balanced, pragmatic and responsive to the needs of all three constituents. We underscore that without sustainable enterprises, there are no jobs. There is no decent work.

In the current context of economic uncertainty, trade tensions and geopolitical change, greater attention must be given to fostering an enabling environment for sustainable enterprises. This interconnectedness is not peripheral. It is central to delivering decent work and we hope to see it more clearly reflected in the Committee's comments. In this spirit, Chair, we thank the Committee of Experts for this exchange and look forward to continued cooperation with the Governments and Worker members during the session of the CAS.

Presidenta – Continuaremos con los oradores. Le cedo la palabra a la Sra. Andreou Panayiotou, en nombre de la Unión Europea.

Government member, Cyprus, speaking on behalf of the European Union (EU) and its Member States (Ms ANDREOU PANAYIOTOU) – I have the honour to speak on behalf of the EU and its Member States. The candidate countries North Macedonia, Montenegro, Serbia, Albania, Ukraine, Republic of Moldova and Georgia, the European Free Trade Association

(EFTA) country Norway, member of the European Economic Area, as well as the United Kingdom, align themselves with this statement. We welcome the discussion at the Committee, a crucial pillar of the ILO supervisory system where we affirm our strong belief in the fundamental importance of international labour standards, their ratification and the effective and authoritative supervision of their implementation. The analysis and expertise of the Committee of Experts is shown in its annual reports which provide a solid basis for the work of the Conference Committee.

Our Committee's discussions and conclusions are and will continue to be an invaluable contribution to improving our implementation of the international labour standards that lead to decent work and social justice. We attach great importance to the follow-up to these conclusions and to the technical assistance provided by the Office in this regard. Looking further into the general report, we appreciate the fourth information session the Committee of Experts held with governments and look forward to a new meeting in 2026. We also appreciate the exchanges between the Committee of Experts and the Conference Committee, documenting the continued spirit of mutual respect, cooperation and responsibility. We are pleased that the Committee of Experts continues to deepen its cooperation with the UN human rights treaty bodies, most recently through an exchange on complementarities of their respective mandates with the business and human rights agenda and stock taking of joint initiatives.

This collaboration is crucial to enhance the effective fulfilment of human rights including labour rights and needs to feed into the UN process. We look forward to continuation of exchanges that provide scope for synergies and streamline reporting burdens while respecting the autonomous mandates of all bodies. With regards to reporting obligations, we are pleased to note the slight increase in the percentage of requested reports received from 73.6 per cent

in 2024 to 74.1 per cent in 2025, including the significant rise in the percentage of reports received before the due date of 1 September from 42.4 per cent to 54.9 per cent.

At the same time, we remain concerned about persistent cases of non-reporting and failure to submit first reports, as highlighted in the general report. We understand also that late reports disrupt the Committee of Experts' review process and impairs the capacity for thematic evaluation and timely dialogue. We hear and echo the Committee of Experts' call to respect reporting obligations and deadlines and to request ILO technical assistance where needed. The EU and its Member States reiterate their full support to the well-functioning and authoritative supervisory system of the ILO which has been established and adapted over more than a century on the basis of tripartism and continued social dialogue. It is unique and robust providing a valuable example of a multilateral rules based order.

Presidenta – Doy ahora la palabra al Sr. Rizky Mandalika Kurniawan que hablará en nombre del Gobierno de Indonesia.

Government member, Indonesia (Mr KURNIAWAN) – At the outset, Indonesia extends its appreciation for the Committee of Experts for the comprehensive report and comments and to the ILO for its continued commitment to promoting social justice, decent work and inclusive economic development amid the rapidly evolving work of work. Indonesia welcomes this important discussion as an opportunity to reflect collectively on the progress achieved as well as the challenges that remain in advancing the objective and principle of the ILO as the organization approaches the centenary of the Committee. Indonesia recognizes the enduring relevance of the ILO normative system and its unique tripartite structure investing balance, inclusive and sustainable labour governance at the global level. Indonesia believes that international labour standards continue to play an essential role in guiding Member States in responding to profound economic, social, technological and demographic transformation.

In this regard, the standard-setting function of the ILO must remain responsive, realistic, inclusive and adaptable to the changing realities of the labour market while taking into account the diverse level of development and national circumstances of Member States. Indonesia further recognizes the importance of constructive dialogue and cooperation among governments, employers and workers in ensuring the effective application of international labour standards. The tripartite approach remains fundamental to strengthening mutual trust, promoting social cohesion and ensuring that labour policy contribute meaningfully to economic resilience and social progress. As a developing country with a large and diverse labour force, Indonesia continues to undertake effort to strengthen labour governance, expand decent work opportunities, enhance social protection, improve occupational safety and health and promote productive and inclusive employment. Indonesia also continues to strengthen institutional capacity and social dialogue mechanism at national and local levels as important instrument for achieving balance and sustainable labour relation.

Indonesia acknowledges that the world of work is currently undergoing a significant transformation driven by digitalization, technological innovation, climate change, demographic shift and emergence of new form of employment including work in the platform economy while this transformation creates opportunities for innovation, productivity and economic inclusion. They also present challenge related to employment protection, skill development, social protection, coverage and labour market adaptability. In this context, Indonesia supports continued discussion with the ILO aimed at deepening understanding and building a common approach regarding decent work in emerging form of employment. Indonesia believes that any future international labour standards should be developed through inclusive evidence-based and consensus driven deliberation while fully respecting national legal systems, policy priorities and stages of economic development. Indonesia also underlines the importance of ensuring the policy response to labour market transformation

remains balanced and supportive of innovation, investment, entrepreneurship and job creation particularly for developing countries that continue to face structural employment challenges and significant informal economic participation.

Looking ahead, Indonesia remains committed to continued engagement within the ILO and reaffirms its support for strengthening the Organization's supervisory and standards-related functions in a manner that promotes dialogue, technical cooperation, capacity-building and shared responsibility among all constituents.

Indonesia believes that with true constructive cooperation and genuine tripartite engagement, the ILO will continue to play a central role in shaping a human-centred, inclusive, resilient, and sustainable future of work.

Presidenta – No habiendo más solicitudes de palabra y dado que se trata del último orador inscripto, se da por concluida la discusión general del día de hoy.

La Comisión cerrará, este fin de tarde, la discusión general con las respuestas del Presidente de la Comisión de Expertos y de la representante del Secretario General, seguida por las observaciones finales de los dos Vicepresidentes.

Se interrumpe la sesión a las 11.49 horas.

The sitting was suspended at 11.49 a.m.

La séance est suspendue à 11 h 49.