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Decimosexta sesión, 8 de junio 2026, 17.30 horas (cont.)**Sixteenth sitting, 8 June 2026, 5.30 p.m. (cont.)****Seizième séance, 8 juin 2026, 17 h 30 (suite)**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales (cont.)****Discussion of individual cases (cont.)****Discussion des cas individuels (suite)****Papua New Guinea (ratification: 2000)**

Convenio sobre igualdad de remuneración, 1951 (núm. 100)

Equal Remuneration Convention, 1951 (No. 100)

Convention (n° 100) sur l'égalité de rémunération, 1951

Convenio sobre la discriminación (empleo y ocupación), 1958 (núm. 111)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Convention (n° 111) concernant la discrimination (emploi et profession), 1958

Presidenta – Señoras, señores les ruego que tomen asiento. Vamos a avanzar con el tercer caso del día de hoy. El tercer caso del día de hoy se refiere a la aplicación del Convenio sobre igualdad de remuneración, 1951 (núm. 100) y del Convenio sobre la discriminación (empleo y ocupación), 1958 (núm. 111) por parte de Papua Nueva Guinea. Para la discusión del caso contamos con diez personas anotadas en la lista de oradores.

Les informo que en forma excepcional la Mesa de la Comisión ha aceptado que el representante del Gobierno, así como los representantes de los empleadores y de los trabajadores de Papua Nueva Guinea participen en la discusión a distancia a través de la plataforma Zoom.

Quisiera agradecer la participación del representante gubernamental. Entiendo que en ese país es la 01.00 horas de la mañana, así que esta Comisión agradece a todos los representantes que están conectados para poder brindar sus alocuciones. Invito inicialmente al representante gubernamental de Papua Nueva Guinea, Sr. George Taunakekei, Secretario del Departamento de Trabajo y Relaciones Laborales a tomar la palabra. Señor tiene usted la palabra.

Government representative (Mr TAUNAKEKEI, Secretary, Department of Labour and Industrial Relations) – Since it is the first time that the Government of Papua New Guinea takes the floor before this respectful Committee, I would like to start my intervention by congratulating you Madam Chair on your appointment to lead this important ILO supervisory body. Likewise, allow me to congratulate this Committee on its 100th Anniversary. The role that this Committee has played in facilitating tripartite discussion on international labour standards is invaluable and unique in the international system.

I would also like to express our Government's sincere gratitude to the ILO for the continuous collaboration and comprehensive support in different critical areas to effectively comply with the international labour Conventions ratified by Papua New Guinea. I would also like to acknowledge the existing partnerships with the European Union (EU) and the Government of Australia that allow us to further enhance employment opportunities for all while promoting respect for international labour standards and good labour governance.

Under the EU's funded Support to Rural Entrepreneurship, Investment and Trade (STREIT) project, since 2020, the Government of Papua New Guinea has been able to improve rural livelihoods of many communities living in the East and West Sepik Provinces of Papua New Guinea, enhancing sustainable production and inclusiveness of the cocoa, vanilla, and fisheries' value chains. With the support of the ILO, the Government has been able to improve market access for women and men working as farmers and generate employment, including for women and youth, through transport infrastructure.

In 2025, Papua New Guinea concluded a partnership with the Government of Australia for the implementation of a three-year project, which has the overarching goal to strengthen labour market governance to support decent work, social justice, and gender and inclusive economic growth. This project is built around three independent objectives. Firstly, to strengthen the labour administration systems by modernizing labour legislation in line with international labour standards and improving the capacity of labour institutions to enforce those laws. Secondly, to improve labour market information for evidence-based policymaking by addressing gaps in labour statistics. And thirdly, to strengthen social dialogue by creating an enabling environment for effective tripartite dialogue, including by enhancing the National Tripartite Consultative Council and strengthening the capacity of social partners.

Papua New Guinea is a country of over 10 million people (approximately 50 per cent of them are women), and the majority of them live in rural areas. Our country is also home to over 840 different languages, making it the most linguistically diverse country on earth.

Papua New Guinea has been a Member of the ILO since 1976 and has ratified 29 Conventions, including 8 of the 10 fundamental Conventions. One of the latest Conventions ratified in 2023 was the Violence and Harassment Convention, 2019 (No. 190), which in our country represents a big milestone to protect all workers, particularly women, against any action that could affect their physical and mental integrity. Our Government attaches special importance to social dialogue with the Papua New Guinea Trade Union Congress (PNGTUC) and the Employers Federation of Papua New Guinea (EFPNG) which has contributed to embark our country in an ambitious process of reforms of our labour laws and institutions as I will mention during my intervention.

While Papua New Guinea has been facing enormous challenges in terms of resources and capacities, which has inevitably resulted in delays to comply with ILO reporting obligations, over the last years our Government, with the support of the ILO, has been able to progressively come up to date with the submission of due reports to the Committee of Experts.

The Government takes due note of the observation and direct request adopted by the Committee of Experts in 2025 in relation to Conventions Nos 100 and 111. In relation to these comments, allow me to make the following points:

1. The Government of Papua New Guinea wishes to reiterate that it is fully committed to implement the necessary labour reforms, including in the 1978 Employment Act and the 1962 Industrial Relations Act, to ensure that they are aligned with ILO Conventions ratified by our country and responsive to the current realities of our labour market. In this regard, the Government has agreed to prioritize reforms aimed at ensuring equality of

opportunities for women and eliminating provisions that have been considered discriminatory under Conventions Nos 100 and 111 and ensuring effective protection against violence and harassment. Other key areas of reform include protection against child labour, and protection against unfair dismissal. These priorities also align with our Government's commitment under the United Nations Sustainable Development Cooperation Framework (UNSDCF) 2024–28 to enhance gender equality and the empowerment of women by supporting the development of new gender-responsive laws and policies and strengthening capacities of relevant government departments and ministries in gender-responsive planning, budgeting, monitoring and reporting.

2. In 2025 and 2026 the Government benefited from capacity-building on international labour standards, including on the ILO fundamental Conventions Nos 100 and 111, as well as Convention No. 190. We thank the ILO for allowing Papua New Guinea to receive in 2025 a mission composed of ILO specialists from Geneva, Bangkok and Fiji, which helped the Government to better understand our obligations under ratified ILO Conventions. Following that mission, the Government agreed to work on the review of the Employment Act to address concerns expressed by the Committee of Experts under Conventions Nos 100, 111 and 190, including the recognition of the principle of equal pay for work of equal value and protection against violence and harassment as well as discrimination.
3. Papua New Guinea is also working with the ILO to develop a national wage policy, and the Government is committed to ensure that the principle of equal pay for work of equal value is respected in that process. A landmark achievement was the approval of a significant increase in the national minimum wage. This outcome was supported by the ILO through targeted technical assistance and capacity-building provided to tripartite constituents and the Minimum Wages Board. The reform was developed through a transparent and inclusive process led by the Department of Labour and the re-established Minimum

Wages Board, with active participation from employers, workers, and Government representatives. Likewise, with the support of ILO Occupational Safety and Health (OSH) specialists, the Government has developed a first draft of its National OSH Policy. A final consultation on the revised draft policy is scheduled for 18 June 2026, after which the National OSH Policy will be submitted to the National Executive Council (NEC) for approval.

4. The Government has agreed on the establishment of a Tripartite Law and Policy Reform Working Group. This mechanism will allow tripartite constituents to together identify and agree on areas of labour law reform, discuss proposed legislation and monitor progress. The Office of the State Solicitor will serve as the key legal advisor of this group, with participation from other relevant stakeholders as required. The Terms of Reference (TOR) for the Tripartite Working Group have been finalized and will be presented for endorsement by all tripartite constituents on 19 June 2026. Important pieces of legislation that are planned to be discussed within this Tripartite Working Group include the Employment Act, the Industrial Relations Bill, the Occupational Safety and Health Bill and the Workers' Compensations Bill. Once again, we thank the ILO for its support in setting up this important Tripartite Working Group.
5. In addition to the labour reform, the Government is key to modernizing its labour inspection system. With the support of the ILO, the Government is going to undertake an assessment of existing operational procedures and mechanisms considering the requirements of the Labour Inspection Convention, 1947 (No. 81), ratified by Papua New Guinea in 2023. Given that most of the labour force in Papua New Guinea is concentrated in rural areas, the Government will welcome the ILO's support and advice on how to ensure labour inspection's presence and effective functioning in critical sectors of the economy such as agriculture and mining.

6. The Government has also initiated work towards the development of its first labour force survey. This survey will provide an updated picture of the existing size and distribution of the labour market force, disaggregated by gender. This will facilitate informed policymaking aimed at strengthening decent work opportunities for women in Papua New Guinea. The ILO has supported the development of a comprehensive Labour Force Survey roadmap and provided technical assistance on survey methodology, international labour statistics standards, Computer-Assisted Personal Interviewing (CAPI), and Survey instrument development. This support will help generate key labour market data aligned with international statistical standards.
7. In relation to the review of pieces of legislation that are not under the mandate of the Department of Labour and Industrial Relations, such as the Public Service (Management) Act and the Teaching Service Act, we are committed to engage with the relevant government agencies to take steps in advancing the necessary reforms in a coordinated manner.

So given the aforementioned points, Papua New Guinea requests the continuation of ILO technical assistance for the labour reforms in our country.

Let me finalize my intervention by reiterating the commitment of the Government of Papua New Guinea to respect for the international labour standards and the mandate of the ILO and we welcome the advice provided by other members of this Committee.

Presidenta – Muchas gracias, Sr. Taunakekei. Ahora vamos a dar el uso de la palabra al Sr. Mark Birrell, portavoz del Grupo de los Empleadores para que realice su declaración inicial. Señor tiene usted la palabra.

Employer members – This case concerns the application by Papua New Guinea of two fundamental Conventions, Conventions Nos 100 and 111.

At the outset, the Employer members recall that Papua New Guinea ratified both Conventions in 2000. We also note that while the Committee of Experts has examined the application of these Conventions individually on several occasions, this is the first time that this case has been discussed by this Committee. We also appreciate the appropriate consideration of Conventions Nos 100 and 111 together given their close connection in practice. We therefore welcome the opportunity to engage in a constructive and practical discussion on this.

The Employer members welcome the Papua New Guinea Government's ongoing labour law reform process which includes indications that a number of priority labour laws have been identified for review including the Industrial Relations Bill and the Employment Act of 1978. We note positively the Government's genuinely expressed intention to seek ILO technical assistance as well as the support being provided through the current ILO cooperation projects. This is an important legal basis for progress as it shows that there is, in fact, a process underway and that the Government has taken the opportunity to address the concerns raised by the Committee of Experts in a coherent and structured manner. At the same time, from the Employer members' perspective, it is essential that labour law reforms be predictable, coherent and are capable of being implemented in practice.

Enterprises and particularly small businesses need legal certainty. They need to understand clearly what their obligations are, how these obligations are to be applied and what practical steps are expected from them. Reforms that are unclear or overlapping or difficult to interpret can create unintended compliance burdens, discouraging formalization, increasing uncertainty for enterprises and ultimately weaken job creation and effective protection. For this reason, the Employer members emphasize that the reform process should be grounded in meaningful tripartite consultation supported by clear guidance and communication and designed in a way that is proportionate and adapted to national capacity and labour market realities.

Turning first to Convention No. 100, the Committee of Experts has raised concerns regarding the need for comprehensive protection against discrimination, including protection against both direct and indirect discrimination across the broad range of prohibited grounds. The Employer members take note of those concerns.

We also note the issue raised in relation to specific provisions in the public service including provisions allowing posts to be advertised for male or female candidates in particular proportions and rules on family allowances that may treat female officials or teachers differently depending on their status as breadwinners. These issues point to the need for greater coherence across the legislative framework. For context, the Employer members can observe that effective compliance with non-discrimination principles depends not only on the law itself but on how the law is applied in practice. Local employers will be guided by clear definitions of prohibited conduct, and they need practical examples of what compliance requires.

They also need accessible mechanisms for guidance, prevention and dispute resolution. This is particularly important for smaller enterprises which often do not have dedicated legal or human resource departments. Without practical support even well-intentioned legislation may create uncertainty or inconsistent application. The Employer members, therefore, stress the importance of complementing legal reform with practical tools, awareness-raising and institutional support. Legal obligations must be understandable, operational and capable of being applied by enterprises in these real workplace settings.

Turning to Convention No. 111, the key issue remains the implementation of the principle of equal remuneration for men and women for work of equal value. The Committee of Experts has reiterated its request that the relevant labour legislation defines remuneration comprehensively and reflects the principle of equal remuneration for work of equal value and

not merely equal pay for the same or similar work. From the Employer members' perspective, this is one of the most technically complex aspects of this case. The concept of work of equal value goes beyond equal remuneration for identical jobs. It may require the comparison of different jobs on the basis of objective criteria such as skills, responsibility, effort and working conditions.

In practice, this could raise important questions for enterprises. How should jobs be evaluated in a consistent and objective manner? What methodologies should be used? How can they be applied in small enterprises with limited administrative capacity? And how can the system ensure fairness without creating excessive complexity?

These are not simply abstract questions as they determine whether the principle will be applied effectively in practice. The Employer members, therefore, emphasize that implementation of this principle must be accompanied by practical and sector-relevant guidance. It should also be supported by capacity-building for enterprises, labour administration and other relevant institutions. Employers are committed to fair and equitable workplaces. But jurisdictions like this cannot be expected to implement complex legal concepts without the necessary tools, guidance and institutional support. This is especially so as the Committee of Experts has referred to broader structural changes including persistent gender inequalities in labour market participation and empowerment and addressing these challenges requires a balanced and realistic approach.

Enterprises are key partners in promoting equality in the world of work, yet they naturally operate within these broader economic and social contexts. Measures to advance equality, therefore, go hand in hand with efforts to promote employment opportunities in the formal economy, encourage entrepreneurship and support business sustainability. In conclusion, the Employer members welcome the ongoing engagement between the Government of Papua

New Guinea and the ILO. I am also pleased to advise of Australian Government work to support the Papua New Guinea administration on matters directly affecting the following:

- The Australian Government is supporting a three-year \$6.5 million project with the ILO and the Department of Labour and Industrial Relations to strengthen labour governance in Papua New Guinea. It includes reviewing and updating key labour legislation and improving labour data collection.
- Tripartism is a fundamental pillar of that project, and I am advised that it is supported by the Papua New Guinea Government as we have heard, the Employers' Federation of Papua New Guinea and the Papua New Guinea Trade Union Congress.
- This is a great example of a constructive capacity-building project designed to update core labour laws and provide an enduring foundation for sustainable compliance with the international labour standards.

Finally, the Employer members' objective to have a legal and institutional framework that promotes equality, provides clarity to enterprises, protects workers effectively and supports sustainable economic activity is very clear. As employers we will remain ready to support constructive, practical and tripartite efforts towards that objective. We consider that this case presents a real opportunity to achieve tangible progress through constructive, tripartite dialogue.

Presidenta – Muchas gracias Sr. Birrell. Voy a dar ahora la palabra al Sr. Stephen Russell, portavoz del Grupo de los Trabajadores para que realice su declaración inicial. Sr. Russell tiene usted la palabra.

Worker members –This is the first time we have discussed the case of Papua New Guinea and its obligations under Convention Nos 100 and 111. These two fundamental Conventions are essential elements of the ILO's normative framework. Together they enshrine the

principles of equality of opportunity and treatment, prohibit discrimination in employment and occupation and require equal remuneration for men and women for work of equal value. Their effective application is indispensable to sustainable development and to elements intrinsic to the ILO's mandate, namely decent work and social justice.

And that application requires continuous effort as we repeated in the conclusions of the Committee of the General Survey in 2023 when we agreed upon the urgency of eliminating discrimination in employment and occupation. Papua New Guinea ratified both of the Conventions under discussion in the year 2000, in doing so undertaking clear and binding obligations to give effect to their principles in law and in practice. Yet as documented by the Committee of Experts, serious concerns persist regarding compliance with both instruments. The Employment Act of 1978 remains outdated and fundamentally inconsistent with the Conventions, while the Industrial Relations Bill remains un-enacted despite 20 years of discussion, depriving workers of protections that should have been guaranteed long ago. According to the United Nations Development Programme (UNDP), Papua New Guinea has some of the highest rates of gender inequality in the world.

Women and girls face significant barriers to accessing education. According to United Nations Children's Fund (UNICEF), only 47 per cent of girls attend primary school and only 17 per cent of girls attend secondary school. Women are also far less likely to participate in the formal workforce than men. World Bank figures show only 20 per cent of women participating in the labour force compared to 75 per cent of men. The gulf between these numbers show how far we still remain from gender equality in the country.

We recall that the principle of equal remuneration for work of equal value, according to the Convention, requires the establishment of objective mechanisms capable of both identifying and addressing gender-based wage disparities. In the case of Papua New Guinea,

the legal framework does not ensure the full application of the concept of work of equal value, particularly beyond situations involving identical or similar work. The absence of comprehensive job evaluation methods based on objective criteria such as required skills, responsibilities, effort and working conditions significantly hampers the Convention's effective implementation. Furthermore, there is little reliable data enabling an assessment of wage differentials between women and men. Without such data it is impossible to measure progress or identify structural discrimination or design corrective policies.

We must stress that reliable data is an essential component of compliance with Convention No. 100 in practice. Turning to Convention No. 111, we are deeply troubled that discrimination in employment and occupation persists in law and practice, including on grounds covered by the Convention. For example, and as noted by the Experts, legislation still allows for job candidates to be appointed, promoted or transferred in particular proportions regarding gender and other categories. The Committee of Experts has underlined the need for a comprehensive and coherent legal framework which explicitly prohibits discrimination on all grounds listed in Article 1 of Convention No. 111 and provides effective remedies. In Papua New Guinea, gaps remain in ensuring that anti-discrimination protections are clearly articulated, enforceable and accessible to all workers.

Equally troubling is the limited effectiveness of enforcement mechanisms. Weak enforcement renders rights illusory, particularly for workers in vulnerable situations. These shortcomings have real tangible consequences for workers in Papua New Guinea, particularly for women and for those facing multiple and intersecting forms of discrimination. Gender-based wage inequality entrenches poverty, limits economic autonomy and reinforces structural disadvantages. Discrimination in access to employment, training, promotion and remuneration undermines workers' dignity and violates the very essence of the ILO's mandate.

We recall that formal equality is not sufficient. What is required is substantive equality, achieved through proactive measures, effective enforcement and genuine social dialogue. We, therefore, fully align ourselves with the observations and requests of the Committee of Experts. In particular, we stress the need for the Government of Papua New Guinea to bring, without further delay, its legislation fully into line with these Conventions explicitly incorporating the principle of equal remuneration for work of equal value and comprehensive prohibitions on discrimination by revising the Industrial Relations Bill and the Employment Act and to engage in meaningful consultation with the social partners in line with the ILO's tripartite principles to design and implement these reforms.

The heart of this case is simple. Papua New Guinea's commitments must translate into concrete results for workers. The issues raised by the Committee of Experts have remained unresolved for far too long with the first observations on this case dating back 15 years and more. Both Convention Nos 100 and 111 are part of the fundamental principles and rights at work and are essential to achieving social justice. We, therefore, look forward to hearing from the Government today on the specific measures it intends to take within a clear and realistic time frame in the interests of equality, dignity and social justice for all workers in Papua New Guinea.

Presidenta – Muchas gracias, señor. Vamos a dar ahora el uso de la palabra a la Sra. Florence Lou Willie quien es empleadora de Papua Nueva Guinea. Señora tiene usted la palabra.

Employer member, Papua New Guinea (Ms WILLIE) – I speak on behalf of the Employers' Federation of Papua New Guinea (EFPNG), who is recognized as the most representative group for the employers in my country. The Federation recognizes the Papua New Guinea Government's ratification of both Convention No. 100 on equal enumeration and

Convention No. 111 on discrimination and had looked forward to the work that would be undertaken to change our laws and policies. A lot of work on reviewing the Employment Act and a number of labour laws were done between 2010 and 2018. However, the work on the Employment Act was not endorsed by the Government and therefore our Employment Act remains unchanged.

The Law remains the same with no change. The business sector is the backbone of the country's economic development. We pay our taxes to Government. We provide employment and job security for the workforce in Papua New Guinea. Businesses continue to operate within the laws that exist in the country.

Companies who are owned by multinational corporations bring into the country good workplace practices which are written into their respective company policies and applied. Matters like discrimination and harassment are addressed through policy at the workplace. Admittedly, not all companies have these policies and we recognize these gaps. We also place on record that an employer cannot stigmatize or discriminate a worker based on his or her HIV or AIDS status under the HIV/AIDS Management Prevention Act of 2004. This Law offers protection to this vulnerable worker at the workplace.

Maternity leave provisions in the private sector remains as unpaid leave for female workers. The Federation has actively engaged with the Department of Justice who had led this campaign to get maternity leave paid in the country. The public consultations were conducted in 2023 and 2024 and that report and its findings will be tabled in the Parliament for endorsement. Should this endorsement occur, then women workers in the private sector will be automatically entitled to paid maternity leave. The current Employment Law does not provide for paid maternity leave.

The Federation through a number of industry trade unions have negotiated for paid maternity leave and these industrial agreements make provision for that. Again, these industrial agreements only cover members under the different trade or sector unions and the Federation. So, there is no universal coverage. If the Employment Act review proceeds, then this is one provision that must be amended immediately as it discriminates women in the private sector who are on unpaid maternity leave whereas women in the public service and those under industrial agreements receive paid maternity leave. I state on record that we do have good employers who applied a paid maternity leave for their female employees and carry that payment as a cost to their business.

In Papua New Guinea, women make up 50 per cent of the workforce. This is a testament to recognizing women at school and at the workplace. Women are breadwinners. A call for urgent action to amend our Employment Law is real. I give some examples in relation to the current Law.

For example, it does not allow women to work after 6 p.m., nor does it allow for women to work underground in the mining sector. The reality is that we find women working in jobs after 6 p.m. in the hospitality and hotel industry. In the mining sector, we find women who are technical experts in their field and/or are supervisors in their fields, working underground with male colleagues. Should these women be told that they cannot work in that occupation because of an old, outdated Law that says that they cannot? The Federation, we give our full commitment to the work the Government is doing to improve labour law, workplace practice and policy.

We are also informed of the Australia–Papua New Guinea bilateral arrangement which is in place to address labour law governance in the country. Under this bilateral arrangement, the Australian Government has provided funding support, and the International Labour

Organization will provide its usual technical support and resources to this programme. This is a three-year programme and we are available and engaged in this process. The Federation reiterates its commitment to support our Government, ensuring that laws, policies and practices that need to be reviewed and amended must be made. The Conventions ratified are our guide and we must aspire for greater things for our future workforce and employers.

There is work to be done. That concludes my statement.

Presidenta – Muchas gracias, señora. Vamos a pasar el uso de la palabra al Sr. Clemence Kanau quien habla en representación de los trabajadores de Papua Nueva Guinea. Señor tiene usted la palabra.

Worker member, Papua New Guinea (Mr KANAU) –I speak on behalf of the workers of Papua New Guinea. Papua New Guinea ratified Conventions Nos 100 and 111 more than 25 years ago. Yet despite these commitments, workers are still waiting for these fundamental rights to be fully reflected in national legislation and effectively enforced in practice in Papua New Guinea.

Today I must express the deepest frustration and disappointment of workers at the Government's continued failure to deliver labour law reform that has been promised for decades. The Committee of Experts has repeatedly identified the same shortcomings. Workers have repeatedly demanded action. Successive governments have repeatedly assured the Committee of Experts that reform was imminent. Yet after more than a quarter of a century, workers continue to face the same legal gaps, the same inadequate protections and the same unfulfilled promises by the Government of Papua New Guinea.

The situation under Convention No. 100 is particularly troubling. The Employment Act of 1978 remains outdated and fundamentally inconsistent with the Convention. It prohibits unequal pay only for the same work and fails entirely to recognize the core principle of equal

renumeration for men and women for work of equal value. This is not a technical deficiency. It is a serious denial of rights.

The absence of this principle has real and lasting consequences for working women throughout Papua New Guinea. Women continue to be concentrated in lower-paid occupation, remain under-represented in higher-paying sectors and face structural barriers that limit their economic opportunities in the country. Without legal recognition of equal remuneration for work of equal value, gender-based wage discrimination remains hidden, difficult to challenge and even more difficult to remedy. The Government has informed the ILO for many years that legislative reforms are under consideration. However, workers cannot be expected to live on promises.

Rights delayed for decades are rights denied today and in future. The Industrial Relations Bill has been discussed, revised, reviewed and referenced for many years. We have heard repeatedly that it will address these gaps in compliance with international labour standards, yet the Bill remains unenacted and workers continue to be deprived of protection that should have been guaranteed a long time ago. Therefore, the workers of Papua New Guinea, through the Papua New Guinea Trade Union Congress, are asking a simple and legitimate question. How many more years must workers wait for rights that were promised 25 years ago by the Government of Papua New Guinea?

At some point in time, repeated assurances can no longer be considered progress. The Government cannot continue presenting draft legislation as evidence of compliance with workers' demands and ILO commitments while workers remain without actual legal protection. Workers measure progress not by consultations, discussion or draft texts. We measure progress by laws enacted, rights protected and remedies available in practice. The situation under Convention No. 111 is equally concerning.

Despite constitutional guarantees, Papua New Guinea still lacks comprehensive anti-discrimination legislation covering all aspects of employment and occupation. Workers continue to face discrimination without adequate legal protection and without effective remedies in place. There remains no comprehensive legal framework prohibiting discrimination in recruitment, hiring, promotion, training, remuneration, working conditions, career advancement or termination of employment. There remains no effective legislation framework capable of preventing workplace discrimination and ensuring accountability when violations occur. Sexual harassment continues to be inadequately regulated.

Outside of public service and in the private sector, many workers, particularly women, remain vulnerable and insufficiently protected. No worker should ever have to choose between earning a livelihood and enduring harassment in the workplace. Persons with disabilities continue to face significant barriers to employment and equal participation in the labour market. Workers living with HIV/AIDS continue to face stigma, prejudice and discrimination. Other vulnerable groups continue to lack comprehensive legal safeguards.

The absence of effective legislation sends a troubling message that equality remains an aspiration rather than an enforceable right in Papua New Guinea. We are also concerned by the persistent lack of data concerning wage inequality and workplace discrimination in Papua New Guinea. The Government frequently points to the limited number of complaints or court decisions. However, that is not true. The absence of complaints must never be interpreted as absence of discrimination.

Workers often remain silent because they fear retaliation, dismissal, victimization, blacklisting or because they lack confidence that existing mechanisms will provide effective remedies. When women remain under-represented in formal employment, when occupation certification persists and when legal protections remain incomplete, it is impossible to

conclude that equality has been achieved simply because violations are under-reported. Silence does not prove equality. More often it reflects fear, vulnerability and lack of confidence in enforcement mechanisms. I wish to emphasize that the challenge before us is not lack of guidance.

The Committee of Experts has repeatedly explained what measures are required in consultation with the Workers' and Employers' groups in Papua New Guinea and the Government of Papua New Guinea. What is missing is not guidance. What is missing is the political will to transform commitments into concrete legal protection for workers. Twenty-five years after ratification, workers should not still be hearing that the reforms are under consideration. The time for action is now.

The workers of Papua New Guinea, therefore, call upon the Government to: urgently amend the Employment Act to fully incorporate the principle of equal remuneration for men and women for work of equal value in accordance with Convention No. 100; finalize and enact the Industrial Relations Bill without further delay and ensure its full conformity with international labour standards; adopt comprehensive anti-discrimination legislation covering all aspects of employment and occupation in accordance with Convention No. 111; strengthen enforcement mechanisms and access to effective remedies for victims of discrimination and unequal remuneration; collect and publish reliable data on wage inequality, discrimination and workplace harassment; and finally, engage genuinely and meaningfully in social dialogue with workers' organizations through the reform process. The workers of Papua New Guinea are not asking for special treatment. We are asking for the implementation of commitments that the Government of Papua New Guinea voluntarily accepted more than 25 years ago. Ratification carries responsibilities.

Those responsibilities cannot remain on paper. Workers have waited long enough. The Government must now move beyond promises and deliver concrete results for the workers and people of Papua New Guinea.

Presidenta – Muchas gracias, señor. Damos ahora la palabra a la Sra. Hyeseon Jeong quien habla en representación de los trabajadores de Australia. Señora, tiene usted la palabra.

Another Worker member, Australia (Ms JEONG) –I take the floor on behalf of the Australian trade union movement. We recall that the ILO adopted Convention No. 100 in 1951, establishing the principle of equal pay for work of equal value, and Convention No. 111 in 1958 to promote equality of opportunity and treatment in employment and occupation. Together these instruments have been effective tools for many countries around the world to redress long-standing inequalities in the gender division of labour, advance women's economic inclusion and narrow gender pay gaps. It is commendable that Papua New Guinea ratified both Conventions in 2000 signaling its commitment to addressing the history of marginalization of women.

However, significant structural barriers persist today. Deeply entrenched patriarchal norms and both explicit and implicit biases continue to sustain occupational segregation while the long-standing undervalue of work performed predominantly by women remains unaddressed. These structural distortions are evident in labour market outcomes. Women are significantly under-represented in wage and salary employment and disproportionately concentrated in low paid and undervalued sectors. According to the ILO modeled estimates in 2025 only 14.5 per cent of women were engaged in waged and salaried employment compared to 27.6 per cent of men.

Even within the formal economy women continue to face systemic constraints including workplace harassment, unequal remuneration and limited career progression indicating that

formalization alone has not eliminated gender-based disparities. Against this backdrop the Government's prolonged failure to advance labour law reforms has weakened confidence in its stated commitment to equality and non-discrimination. The persistence of legislative provisions permitting gender specific job advertising and the discriminatory application of breadwinner concepts further institutionalized gender divisions of labour and fall short of international standards. Addressing these issues is both a rights imperative and an economic necessity: reducing gender-based inequities in pay and employment enhances labour market efficiency, strengthens productivity and supports sustainable growth. We therefore urge the Government to prioritize gender equality in the ongoing labour law reform process by ensuring that the Industrial Relations Bill and the revised Employment Act comprehensively prohibit direct and indirect discrimination on all relevant grounds including: race, gender, religion and political opinion and explicitly guarantee equal remuneration for work of equal value in full conformity with international standards.

Presidenta – Muchas gracias, señora. Pasamos ahora la palabra al Sr. Jose Sonny Matula quien habla en representación de los trabajadores de Filipinas. Señor tiene usted la palabra.

Another Worker member, Philippines (Mr MATULA) – The time has come to bring those promises safely to the shores of the nation of islands. I have the honour to speak on behalf of the workers' Delegation of the Philippines. A popular song reminds us that no man is an island. Neither should any woman worker be left alone to confront discrimination, violence and inequality. We thank the Committee of Experts for its observations concerning the application of these two Conventions by Papua New Guinea.

The workers of the Philippines stand in solidarity with the workers of Papua New Guinea, particularly women workers who continue to face discrimination both in society and in the workplace. Significant gaps remain in the implementation of these two Conventions. Workers

cannot live on promises alone. Equality delayed is equality denied. The situation of women remains particularly concerning according to the UNDP Gender Inequality Index.

Papua New Guinea ranks 151 first out of 166 countries. More than two-thirds of women are estimated to have experienced intimate partner violence while cases of sorcery accusations related violence disproportionately targeting women and girls continue to rise. Women are also under-represented in decision making. Of the 118 members currently serving in Parliament, only three are women. The average Papua New Guinea woman receives only about four years of schooling and less than half participate in the labour force.

These figures reveal barriers that begin in the home, continue in education and follow women into the workplace. Against this backdrop, it is disappointing that important legislative reforms remain pending. The Committee of Experts recalls that the Government indicated that section 8 of the proposed Industrial Relations Bill would prohibit direct and indirect discrimination on grounds protected under these two Conventions and that discriminatory provisions of existing legislation would be reviewed. Yet these reforms remain unfinished. The Industrial Relations Bill appears to have been waiting in Parliament longer than many workers have been waiting for equal treatment.

We are likewise concerned by provisions identified by the Committee of Experts that permit gender-based distinction in appointment, promotions and transfers in the public service as well as provisions requiring women workers to prove they are family-bread winners before becoming entitled to benefits and allowances. Equality should not depend on marital status, nor should women have to prove their eligibility for rights already enjoyed by men. We are also deeply concerned by reports of sexual harassment highlighted by the PNGTUC. Sexual harassment is not merely workplace misconduct. It is a form of discrimination and violence that undermines dignity, equality, safety and decent work.

We therefore call upon the Government to ensure prompt investigations, effective sanctions against perpetrators and meaningful remedies and protection for victims. In solidarity with our sisters and brothers in Papua New Guinea, we respectfully urge the Government to, first, finalize and enact the Industrial Relations Bill without further delay. Second, adopt comprehensive anti-discrimination legislation covering all aspects of employment and occupation. Third, repeal or amend laws and practices that directly or indirectly discriminate against women. Fourth, strengthen measures to prevent and remedy workplace sexual harassment and gender-based violence. And, lastly, promote the full participation of women in education, employment, trade unions, public service and political life.

Presidenta - Muchas gracias, señor. No veo más solicitudes de palabra, así que invito ahora al representante gubernamental de Papua Nueva Guinea, Sr. George Taunakekei, Secretario del Departamento de Trabajo y Relaciones Laborales a que formule sus conclusiones finales. Señor tiene usted la palabra.

The Government representative (Mr TAUNAKEKEI) – In response to the concerns and remarks made by the members of the Committee, I would like to provide the following points. First of all, the Government takes note of all the commentaries provided and as a responsible Government, Papua New Guinea reaffirms its commitment to upholding the fundamental principles as prescribed in Conventions Nos 100 and 111. The Government welcomes the positive comments by the Employer spokesperson, in particular the law reforms to address issues raised in Conventions Nos 111 and 100 and is committed to taking those comments onboard. The reforms will be tripartite, driven to give impetus on the position of all parties in the process from the start to the end.

The provisions of equal pay for work of equal value will be taken into full consideration as highlighted by the Committee of Experts in the reform process of the Employment Act. We acknowledge and thank the Australian Government for the labour governance project designed to update our core labour laws in accordance with international labour standards. We also acknowledge the concerns of the workers on the outdated labour laws and disparities between males and females in wages, employment and other sectors. However, these are areas that the labour law reform process will address. Let me reaffirm to this Committee that the Employment Act and the Industrial Relations Bill are the principal pieces of legislation that will be addressed through the reforms in the coming months.

Again, let me reassure this Committee, as well as Workers and Employers, that while there are issues and challenges in our workplaces, we remain firmly committed to the reform process. These reforms are aimed at improving workplace practices, enhancing conditions of work, and promoting better employment outcomes for all stakeholders. Papua New Guinea will provide its further updates on the progress made on the concerns raised in its next reporting period to the ILO.

Presidenta – Muchas gracias por su participación en las labores de la Comisión y por la información facilitada. Es el turno de la palabra a los dos portavoces. Doy la palabra al Sr. Stephen Russell portavoz del Grupo de los Trabajadores para que realice su declaración final. Señor Russell tiene usted la palabra.

Worker members – Fellow Committee members, we thank all the participants in this discussion on the application by Papua New Guinea of Convention Nos 100 and 111. The exchanges held in this Committee have once again demonstrated the fundamental importance of these two Conventions which are central to the ILO's mandate and to the realization of equality and social justice in the world of work. They have also confirmed that despite long-

standing engagement by the supervisory bodies, serious and persistent shortcomings remain in both law and practice. The discussion has been firmly grounded in the observations of the Committee of Experts on the Application of Conventions and Recommendations.

Those observations are clear, consistent, and have been stated time and time again over successive reporting cycles. With respect to Convention No. 100, the Committee of Experts has emphasized repeatedly that Papua New Guinea has not yet ensured the full and effective application of the principle of equal remuneration for work of equal value. The continued absence of comprehensive legal provisions explicitly reflecting this principle together with the lack of objective job evaluation mechanisms based on neutral criteria continues to weaken the Convention's impact in practice. For as long as the concept of work of equal value is not fully embedded in legislation and operationalized through concrete tools, structural wage inequalities, particularly those affecting women, can be neither identified properly nor remedied effectively. Equally, we underlined the concern regarding the insufficient availability of reliable and disaggregated wage data.

Without such data it is not possible to assess the existence or extent of gender-based pay gaps nor to evaluate progress over time. Transparency and data collection are indispensable elements of effective supervision and policy making. Their continued absence represents a serious obstacle to the implementation of Convention No. 100 and undermines efforts to achieve substantive equality in remuneration. The discussion has confirmed that with regard to Convention No. 111, discrimination in employment and occupation remains insufficiently addressed. Weaknesses persist in enforcement mechanisms and in access to effective remedies.

Where protections are incomplete or poorly enforced, workers are left without real recourse to remedy, and discriminatory practices are allowed to continue unabated. For those

workers who already face structural disadvantages and who are least able to defend their rights, this can be seriously harmful. We listened carefully to the information provided by the Government during this Committee's discussion, and we thank them for it. We acknowledge the expressions of intent and the references to ongoing or planned measures. However, this Committee must be crystal clear that general assurances are no substitute for concrete and measurable action.

The fact that the same concerns continue to be raised year after year indicates that the measures taken to date have not been sufficient to bring about meaningful change. This suggests a structural implementation gap that requires determined, sustained, and coordinated efforts to close. The conclusions adopted by this Committee must therefore accurately reflect the seriousness and persistence of the issues identified. Equality and non-discrimination are not optional policy objectives. They are binding obligations voluntarily assumed by Papua New Guinea upon ratification of Conventions Nos 100 and 111.

These obligations require not only formal legal alignment but also effective implementation in practice supported by enforcement, monitoring, and genuine social dialogue. Therefore, we call upon the Papua New Guinea Government without delay to take all necessary steps in consultation with the most representative workers' and employers' organizations to bring laws into line with the requirements of Conventions Nos 100 and 111 and ensure their enforcement, ensure that both the Industrial Relations Bill and the revision of the Employment Act of 1978 contain a definition of remuneration which includes the ordinary, basic or minimum wage or salary and any additional emoluments and provide for equal remuneration for men and women for work of equal value in conformity with the Convention. Take the necessary measures to review or amend the Public Services Management Act, the General Order No. 20, as well as section 137 of the Teaching Services Act to bring them into conformity with the Convention. Make provisions to collect the data necessary to assess

and address disparities in pay for work of equal value, provide detailed information on concrete measures taken to give effect to the Conventions and to comply fully with all its reporting obligations under the ILO Constitution.

Call upon and make full use of the technical assistance offered by the ILO. Our wide experience in this Committee leads us to believe firmly that genuine political will from governments combined with effective use of ILO technical assistance and constructive engagement with the social partners leads to tangible and sustainable progress. Therefore, our collective determination is required to ensure that ratified Conventions are fully respected in law and in practice and in doing so to help guarantee the rights, equality and dignity of workers in Papua New Guinea.

Presidenta – Muchas gracias, Sr. Russell. Pasamos ahora la palabra al Sr. Mark Birrell portavoz del Grupo de los Empleadores para que realice su declaración final. Señor tiene usted la palabra.

Employer members – The Employer members thank the Papua New Guinea Government for its clear and detailed responses and all the speakers for their genuine interventions. The discussion has confirmed that this case is not only about legal alignment with Conventions Nos 100 and 111 but is also about ensuring that the relevant principles are implemented effectively, coherently and in a manner that works in practice. From the Employer members' perspective, this case primarily concerns legislative clarity and modernization rather than systemic compliance failures. The ongoing reform process and engagement with the ILO are therefore important opportunities to ensure legal certainty, consistency and balanced interpretation and form a constructive basis for progress here.

We note the legislative gaps identified by the Committee of Experts, including the need for comprehensive protection against discrimination, the review of the provisions that may

have discriminatory effects and the incorporation of the principle of equal remuneration for men and women for work of equal value. We also note the statement of the Government today to address these matters through labour law reform and cooperation with the ILO. Progress should be achieved in a way that is clear and predictable. It must also be supported by practical guidance and institutional capacity. With that, the Employer members wish to highlight their priorities going forward.

First, that the Government should undertake tripartite consultation as it sincerely indicated that it would earlier on with the most representative employers' and workers' organizations. The country's reform process will be effective and sustainable if employers' and workers' organizations are fully involved in both the development and implementation of legislative changes. Second, that the Government accompany legislative reform with legislation guidance, tools and awareness raising that enable enterprises to understand and comply with their obligations. And third, for the ILO to continue its role of providing the Government and others with technical assistance, capacity-building and facilitating true dialogue. To meet these priorities, the Employer members recommend that the Papua New Guinea Government continues in its advancement of labour law reform in consultation with the social partners who have both expressed their support for change and involvement in this discussion today; ensures that anti-discrimination provisions are clear, comprehensive and consistent across legislation; amends provisions that may have discriminatory effects including in the public service and which the Government spokesman has valuably indicated today are outdated laws; incorporates the principle of equal remuneration for men and women for work of equal value in a manner supported by practical guidance and tools, and continues to work closely with the ILO to ensure effective and sustainable implementation.

In closing, the Employer members reiterate their readiness to support constructive and tripartite efforts aimed at achieving tangible and sustainable progress in the application of these fundamental Conventions.

Se levantó la sesión a las 18.40 horas.

The sitting closed at 6.40 p.m.

La séance est levée à 18 h 40.