

Pacific Tripartite High-Level Dialogue on Decent Work and the 2050 Strategy for the Blue Pacific Continent

23 - 26 April 2024 | Suva, Fiji

Session 3: Realizing decent work through international labour standards, 24 April, 15.15 – 17.00

This version: 23 April 2024

Proposed Speakers

► Government, employers' and workers' representatives:

- Hon. Leota Laki Lamositele Sio, Minister of Commerce, Industry and Labour, Government of Samoa
- Ms Clare Middlemas, Senior International & Civil Society Officer, Australian Council of Trade Unions
- Ms Eveleen Hayden, Vice-Chair, Cook Islands Chamber of Commerce and Industry

► Technical experts:

- Ms Anna Olsen, International Labour Standards and Labour Law Specialist, ILO
- Mr Perry Smith, Labour Standards Adviser, Forum Fisheries Agency
- Ms Jill Juma, Trade Adviser Melanesia sub-region, PIFS

Moderator: Ahmad Ali, National Programme Officer, ILO

Chair: Dr Eselealofa Apinelu, High Commissioner of Tuvalu to Fiji

Background

The primary objective of the ILO Office for Pacific Island Countries is to assist ILO's tripartite constituents, governments and employers' and workers' organizations of the Pacific Island

countries, in their efforts to reduce decent work deficits and to pursue development for dignity through the achievement of rights at work, employment, social protection and social dialogue. To date, the ILO has provided technical assistance and advisory services to 11 member States in the region.

Decent work is based on a human rights-driven development vision which aims at advancing opportunities for women and men to obtain decent and productive employment in conditions of freedom, equality, security and human dignity. It is an enabling factor for social justice, economic performance and good governance. It aims at covering all workers without distinction. It gives both workers and employers the right to organize, to freedom of expression, and the right to engage in social dialogue, to participate in decisions that affect their lives, guaranteeing equal opportunities and equal treatment for all.

International labour standards are the foundation on which decent work is enabled and governed. Working towards the realization of fundamental principles and rights at work as determined in the [Declaration on Fundamental Principles and Rights at Work of 1998](#) (amended 2022) is required of all ILO Member States. Article 2 of the ILO Constitution declares that:

All Members, even if they have not ratified the Conventions in question, have an obligation arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely:

- (a) freedom of association and the effective recognition of the right to collective bargaining;
- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour;
- (d) the elimination of discrimination in respect of employment and occupation; and
- (e) a safe and healthy working environment.

The Declaration on Fundamental Principles and Rights at Work has strong parallels to the [2050 Strategy for the Blue Pacific Continent](#). The Thematic Area: People-Centred Development seeks to 'address issues of exclusion and inequality, including gender inequality, marginalised groups, and the importance of protecting human rights.' Further links can also be seen: the Strategic Pathway on Inclusion and Equity is bolstered by the fundamental principle to eliminate discrimination in respect of employment and occupation; the Political Commitment to 'secure the wellbeing of our people' rests on the abolition of forced and child labour, and the provision of safe and healthy working environment.

ILO member states in the Pacific generally recognize the importance of fundamental rights and principles at work in their societies, but strategies to achieve these are diverse. There are, of course, varying degrees of compliance with international labour standards, especially in respect of freedom of association (FoA), but overall, ratification rates of international labour conventions remain stubbornly low.

As such, there are then clear advantages in linking the ratification, implementation and realization of international labour standards, including those related to fundamental principles and rights at work, to the broader development goals of the 2050 Strategy.

Within the Asia Pacific region, the ratification of international labour standards sits at around 66 per cent of world average and at 40 per cent of OECD average. Ratifications in East Asia and Pacific significantly lower than in the rest of Asia; the Pacific Island region is marked by especially

low rates of ratification and relatively recent entry to the ILO. Several factors contribute to these lower rates of ratification, including unstable or frequently changing governments, lack of awareness of international labour standards and human resources constraints in nodal ministries. Nevertheless, increasing awareness of the ILO across the region, growing labour mobility and participation in international supply chains and trade agreements has generated more requests and needs from ILO constituents in recent years.

The benefit of framing discussions on decent work around international labour standards, but particularly on fundamental principles and rights at work, is that they are easily understood values statements that speak to broader goals of sustainable development. Progress towards these fundamental principles and rights at work is incumbent on ILO Member States but more widely on all governments and stakeholders in a human rights approach that 'leaves no one behind.' Sustainable Development Goal 8 requires States to 'Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.'

It is thus important for international and regional institutions such as the Pacific Island Forum assist Pacific Island countries to address the above-mentioned challenges in order to harness the potential of international labour standards to contribute to meeting the challenges and objectives of sustainable development as envisioned by the 2050 Strategy for the Blue Pacific Continent.

Objectives

The main aim of this session is to discuss how the ratification and implementation of international labour standards, especially those enshrined in the ILO's fundamental principles and rights at work advance progress to decent work. The session will provide an overview of the fundamental principles and rights at work and discuss various trends in ratifications, gaps and how fundamental principles and rights at work can provide entry points for labour law reform and reducing decent work deficits. Tripartite partners will be reminded of the obligation inherent in ILO membership to advance fundamental principles and the recent elevation of new occupational health and safety standards to fundamental status.

Participants will also be reminded of the Recurrent Item Discussion on the FPRW at the upcoming ILC that will, very likely, result in an Action Plan to be developed post-ILC and encouraged to ensure a Pacific voice is heard during this process. Participants will further discuss the synergies between the 2050 Strategy for the Blue Pacific Continent Thematic Area on People-Centred Development and international labour standards.

Specifically, the session will cover the five areas of fundamental principles and rights at work:

- ▶ *Occupational Health and Safety*
- ▶ *Child labour*
- ▶ *Non-discrimination*
- ▶ *Forced Labour*
- ▶ *Freedom of Association/Collective Bargaining*

The session will be led by a discussant moderator (TBC). Participants from tripartite and development partners will discuss how their institutions work towards decent work using various entry points around fundamental rights. The discussant moderator will also recall and emphasize the interdependence and indivisibility of labour rights and human rights.

Speakers will be requested to discuss the advocacy partnership that had advanced their work. Speakers will also be asked to reflect on how their area might be considered in the recurrent item discussion and how Member States may use this opportunity for Pacific input into this strategic guidance for the ILO.

One speaker is identified for each of the five areas of fundamental rights. The session will be conducted in panel format, with speakers requested to present a maximum of 1-2 slides.

Questions for discussion

- ▶ The discussant moderator will open the session, noting the fundamental principles and rights at work, their critical nature and obligations on Member States and introduce the scene-setting presentation.
- ▶ The discussant moderator will ask each participant two questions and take a round of answers, encouraging reflection on other speakers' responses.
- ▶ The first question will focus on the experience of the institution/country on recent achievements in the fundamental rights area.
- ▶ The second question will request reflection on partnerships and strategic approaches to achieving fundamental rights.
 - Questions will also be modified in consultation with the specific speakers.

Detailed agenda (draft)

Moderator: Mr Ahmad Ali, National Programme Officer, ILO

Chair: Dr Eselealofa Apinelu, High Commissioner of Tuvalu to Fiji

15.15- 15.18

Chair opening

15.18 – 15.30

Scene setting presentation: Decent work and international labour standards in the Pacific Island region:

- **Ms Anna Olsen**
International Labour Standards and Labour Law Specialist, ILO

15.30 – 16.30

Moderated panel discussion with identified speakers:

- **Hon. Leota Laki Lamositele Sio**
Minister of Commerce, Industry and Labour, Government of Samoa
- **Ms Clare Middlemas**
Senior International & Civil Society Officer, Australian Council of Trade Unions
- **Ms Eveleen Hayden**
Vice-Chair, Cook Islands Chamber of Commerce and Industry
- **Mr Perry James**
Labour Standards Adviser, Forum Fisheries Agency
- **Ms Jill Juma,**
Trade Adviser Melanesia sub-region, PIFS

16.30 – 16.57

Plenary exchange

16.57 - 17.00

Chair closing