

Third Tokyo 2020-ILO Sustainability Forum

Be better, together: Tokyo 2020 as Game Changers in advancing decent work

Jointly organised by
the Tokyo Organising Committee of the Olympic and Paralympic Games (Tokyo 2020)
and
the International Labour Organization (ILO)

Date & Time: 18 September 2019, 13:00-16:00

Venue: United Nations University, Tokyo Japan

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- Hiroyuki Matsui, Member of the Employer's Group of the ILO Governing Body and Senior Advisor, Labour Legislation Bureau, Japan Business Federation (Keidanren)
- Akiko Gono, Member of the Worker's Group of the ILO Governing Body and Advisor on International Affairs (JTUC-RENGO)
- Hirotaka Komatsu, Director for Coordination, Urban Infrastructure Division, Bureau of Urban Development, Tokyo Metropolitan Government
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Video Message

Mikako Kotani, Olympian and Bronze Medallist in Synchronised Swimming of the 1988 Seoul Olympic Games, Executive Board Member of the Japanese Olympic Committee (JOC), and Member of the Executive Committee of the World Olympian Association (WOA)

Presentation materials are available online at:

<https://tokyo2020.org/en/games/sustainability/si-20191001-01>

https://www.ilo.org/tokyo/helpdesk/WCMS_721349/lang--en/index.htm

Part I

Opening/Welcome



Takashi Yamamoto

Vice Director General, Tokyo 2020

With less than 310 days and 342 days before the opening ceremony of Olympic and Paralympic Games Tokyo 2020 respectively, the sense of excitement towards the Tokyo 2020 Games is heightening. The test events for various sports are underway and we are now entering the practical phases of the Games' preparation. Various progress has been made

in the past year. The torch design was announced in March, followed by the announcements of the medal designs for the Olympic and Paralympic Games on the occasion of the events to mark one-year-to-go before the opening of the Games. Ticket sales have also started, and we are now in the process of receiving ticket lottery applications for the Paralympics. We will continue to build the momentum towards the Games in various ways.

Sustainability is a keyword for the Tokyo 2020 Games. For example, aluminium construction materials used for the temporary housings after the Great East Japan Earthquake have been recycled to make the torches for the Games' torch relay. The 'Tokyo 2020 Medal Project' has been launched, collecting small electronic devices and mobile phones from all over Japan as well as overseas to create over 5,000 medals using these materials. Podiums will be built using household plastic waste collected through the 'Recycled Plastic Victory Ceremony Podium Project.' Furthermore, the Village Plaza in the Athletes' Village will be constructed using wooden materials collected from 63 municipalities throughout Japan, and the materials will be returned after the Games so that they can be further utilised to build memorial monuments or alike.

As such, we are working on sustainability through the Games, and the establishment of a partnership relationship with the ILO on the promotion of decent work is of great significance. The technical expertise of the ILO, an organisation which is marking its centenary, has been particularly reassuring for Tokyo 2020. Today's forum is jointly organised as one of the important activities under the partnership, with the objective of generating more and better jobs through sustainable procurement and responsible labour practices and to share information and exchange views concerning efforts to end harassment at work.

Today we have the presence of Mr. Vic Van Vuuren from the ILO headquarters in Geneva, and we look forward to his inputs from the international perspective. This forum is also programmed to become a great opportunity to acquire practical 'know-how' on the realisation of decent work through panel discussions featuring the Games partner companies and experts on the topic. It is our hope that today's forum as well as the Tokyo 2020 Games would become a trigger for advancing your initiatives and that they in turn become important legacies after the Games.



Akiko Taguchi

Director, ILO Office for Japan

The ILO is honoured to jointly organise this third Sustainability Forum with Tokyo 2020. I would like to take this opportunity to thank those who gathered today for the continuous support received towards ILO activities.

The ILO was established in 1919 as the only tripartite organization of the United Nations. Currently, representatives of the government, employers, and workers from 187 countries participate as official members of the organization. The ILO has marked 100 years since its foundation this year. The 'Centenary Declaration for the Future of Work' and the ILO Convention on eliminating violence and harassment were adopted at the Centenary International Labour Conference in June. With the Olympic and Paralympic Games Tokyo 2020 taking place next year, procurement for the preparation and operation of the Games is expected to increase. Businesses of all types - large enterprises, small-medium enterprises, overseas enterprises, enterprises from developing and developed countries, micro-enterprises, as well as sole proprietors - are involved in a wide range of activities in relation to the Games, and workers are engaged in every operation.

Tokyo 2020 and the ILO have signed a partnership agreement to promote decent work for all workers involved in the Games, and today's forum is a part of this partnership. At the first Sustainability Forum, the Sustainable Sourcing Code and company practices in relation to the procurement of the Tokyo 2020 Games were presented. At the second Sustainability Forum held last year, we had an active discussion based on practical examples on how to build a win-win-win partnership among multinational enterprises, their supplier companies, and the workers. Report from the two forums are available on the websites of the two organisations.

Building on the past discussion, this year's forum will share Tokyo 2020's ongoing and future activities to promote sustainability, present efforts concerning the elimination of violence and harassment in the world of sports and work, and will discuss how socially responsible labour practices could generate decent work as the legacy of the Tokyo 2020 Games. As the organiser of this Forum, we look forward to the discussions.

Presentation by Tokyo 2020



'Report and progress on 2020 efforts to promote sustainability (Sourcing Code, Grievance Mechanism), Updates on the ILO-Tokyo 2020 partnership'

Yuki Arata

Senior Director of Sustainability, Tokyo 2020

I will explain about Tokyo 2020's activities on sustainability, with particular focus on the Sustainable Sourcing Code and the implementation of the grievance mechanism. In June last year our concept "Be better, together" was announced. Since then, we have worked along the five themes: Climate Change, Resource Management, Natural Environment and Biodiversity, Human Rights, Labour and Fair Business Practices, and Involvement, Cooperation and Communications.

Examples of initiatives related to environment include the production of medals from recycled metals from computers and smartphones, 'Operation BATON (Building Olympic/Paralympic village with Timber Of the Nation)', a project to construct the Village Plaza using domestic timber on loan from local municipalities across Japan, which will afterwards be dismantled and returned as a legacy of the Games to each region, and 'Recycled Plastic Victory Ceremony Podium Project', making podiums for the award ceremony using recycled plastic waste. While the collection of metals for the medal project has been completed, we welcome your cooperation for collecting used plastic consumer product packaging for the podium project at AEON shopping centres. An example of initiatives concerning human rights and labour, efforts are being made to make our workplace more diverse. Tokyo 2020 has declared its commitment towards promoting Diversity and Inclusion (D&I) and stickers are used to express it publicly.

I would now like to present the current situation concerning the implementation of the Sourcing Code, following the updates provided in past two forums. Further to the development of the Code itself, accompanying guidelines and FAQs have been developed to support its roll-out. All contracts signed with Tokyo 2020 include clauses requesting adherence to the Sourcing Code. We are monitoring the action taken by the suppliers and licensee, and through communication with them, we have come to learn that many enterprises are working to prohibit discrimination and harassment. In enterprises that do not have trade unions, there are dialogues taking place with the representatives of workers, yet beyond that, activities to promote freedom of association and collective bargaining seemed little. The reality is that many enterprises have yet to engage with the business partners in their supply chains either, while some enterprises expressed their intent to look into their overseas supply chains, taking opportunity of the Tokyo 2020 Games. It is our hope that such company initiatives increase, making use of the handbook that is being developed in collaboration with the ILO.

Concerning our efforts on monitoring, a survey was conducted last autumn on timber procurement from Malaysia and Indonesia. As a result, it was confirmed that initiatives are undertaken on sustainable forest management including the conservation of ecosystems and respect for the rights of indigenous people. On the other hand, some challenges were found in the areas of occupational health and safety as well as waste disposal; however, the concerned enterprises have taken voluntary action for improvement. The need for protective gears and proper waste management are common issues in the manufacturing sector in general, thus similar incidents could happen in Japan as well. I would like to encourage you to check these points when you have opportunities to visit factories in your supply chains.

Reception of reports through the Grievance Mechanism of the Sourcing Code has started last year in April. It accepts reporting on non-compliance with the Sustainable Sourcing Code in relation to products and services procured by Tokyo 2020. For example, we anticipate reporting on overtime work, exceeding the maximum overtime work hours agreed between worker (or union) and employer of each company based on Article 36 of Labour Standards Act, amongst the manufacturers of the goods procured by Tokyo 2020. Important to note that scope of reception goes beyond manufactured products and includes services such as cleaning and manufacturing of licensed products. We request that the reports include detailed information on how the act of non-compliance makes negative impact as well as the specifics as such information would allow for an early settlement of the case. In principle, the basic concept is to resolve through dialogue between the concerned parties, yet this is subject to the contents and nature of each report. If deemed appropriate, an Advisory Panel will be established to seek experts' advice from a neutral perspective.

Currently, Tokyo 2020, Tokyo Metropolitan Government and the Japan Sport Council (JSC) each has its own grievance mechanism set up. When a report concerning another organisation is received, the appropriate channel of grievance is referred to handle the case. As for information disclosure,

summary of the reports received by Tokyo 2020 are made public on our website. Since April last year, 9 cases have been received, including cases from within Japan and overseas. None related to procurement by Tokyo 2020, while 5 of the 9 cases were on labour issues.

Challenges remain in raising further awareness of the grievance mechanism. Although this system is gradually becoming more known, it is still insufficient, and Tokyo 2020 continues to make efforts in increasing its visibility including towards overseas suppliers. Often the submitted reports lack adequate information and demands time for investigation on our part. Providing as much information as possible, when available, would make the process run smoothly. Even if the submitted reports fall outside the receivable scope of the Tokyo 2020 mechanism, possible efforts are made – for example through conducting a hearing with the concerned parties or encouraging dialogue amongst relevant parties.

A good initiative worth mentioning is that a group of experts comprising mainly of lawyers is developing a guideline to promote responsible supply chain management, and it is now open for public comments. We expect that this guideline would become a good reference for companies in introducing their grievance mechanisms even after the Games. Lastly, in relation to the partnership with the ILO, awareness-raising activities are jointly organised such as these forums, and a collection of leading practices amongst the sponsor companies as well as a handbook are currently underway. ILO's resource materials are also available on the Tokyo 2020 homepage to help companies better understand the topic. I invite you to take a look. Through collaboration activities with the ILO, Tokyo 2020 will further promote decent work in the Games' supply chains through sustainable procurement.

Commentator:

Vic Van Vuuren, Director, Enterprises Department, ILO Geneva



I would like to congratulate Tokyo 2020 for the work that has been done and for having set up the dialogue process, and for the forums jointly organised with the ILO. I think the issues on climate change and international issues shown in the first slide will continue after the Tokyo 2020 Games. We welcome the commitment to address human rights and climate change for the Games. For us, addressing human rights and climate change means promoting decent work. That's one of the major reasons we're participating not only in the Tokyo 2020 Games, but in many other international initiatives as well.

The very nature of preparing for any Olympic games leads to a legacy, and what we would like to see out of this process is a documented case study that one can learn from and to showcase to the rest of the world. And so, we've been working very closely with Tokyo 2020 under our Memorandum of Understanding, to see how we can not only assist in the process, but also to capture this for future events. What is important when one deals with grievances is not only to see the examples, but perhaps to get some data regarding the nature of the grievances that have been tabled. It would be interesting to see whether they are serious grievances, how many there are. And, one accepts the confidentiality of individuals and of companies, but I think it would be helpful, if in the future, we are able to see a table of content, as to how many grievances are tabled, whether they are adequately resolved, and also to the extent to which the cases would be in Japan or in countries that are in the overseas supply chains where you are sourcing some of the material or equipment from.

It is also interesting to see how the Tokyo 2020 grievance mechanism links into the national grievance or regulatory frameworks. Because if there is a serious matter, one would have to assume that this would also have to be dealt within the national law and practice. Global supply chains, which we have

mentioned, makes managing some of the complaints very difficult and we appreciate the complexities of when one deals with across other countries, across border that is not so easy to deal with, because you are dealing with other regulatory frameworks. And we appreciate the work that Tokyo 2020 is doing in this regard.

The survey that has been referred to - once again, we applaud the use of the survey methodology, and also the dialogue processes, because the process is equally important as the content. And we welcome these processes that have been followed. The survey results would also be interesting to see, and I assume if this is not yet on the website, we will soon be able to see it online. We also accept that some of the grievances will be insignificant and very minor in nature compared to those that are more complex. As mentioned, the system that has been put in place will deal with all of this, and I note with pleasure the success of dealing with all of the matters that have been tabled.

My concluding remarks from the ILO point of view is that it has been a process that we are very proud of being part of with the Tokyo 2020 Organising Committee and dealing with not only the Tokyo 2020, but with the ILO constituents. We recognize the support that the Government of Japan has given to the ILO programs in Viet Nam and in Pakistan. With that support, we were able to make advances in those countries where sometimes the decent work agenda is not adhered to. Furthermore, we also welcome working with the labour movement, through Rengo and trade unions, and also with the Keidanren, the employers, who make a critical component of this dialogue process.

Session 1: Realising Decent Work through the Labour Dimension of CSR



Moderator: **Vic Van Vuuren**
Director, Enterprises Department, ILO Geneva

This session is about 'Realising decent work through labour dimension of CSR.' This is going to be an interactive session. We are going to touch on: What is human rights and labour rights due diligence?; What are the opportunities for companies advancing the labour dimension of CSR?; What should companies do to overcome some of the challenges?; and What are the roles of company management and workers in promoting sustainable and responsible businesses? This is so important for the ILO because there are two major challenges that the world is facing. There is a social deficit and a lack of compliance with decent work conditions on one hand, and we've got the environmental challenge on the other hand, and whatever we do we have to be measured against these.

The ILO over time has brought about certain declarations. One of them is the ILO Tripartite Declaration on Principles concerning Multinational Enterprises and Social Policy, known as the ILO MNE Declaration. This provides guidance to companies, governments, and employers and workers on responsible and sustainable workplace practices. So, our task is to go around the world to encourage governments and social partners to comply with the standards. The world has lost a plot to a large extent, when recognising the value of human being. I'm not saying this is the case everywhere, but it's the challenge that we face across the world. And so, we are encouraging social partners, and this was brought about through the ILO declaration in June this year when we embraced a new declaration on the Future of Work. In the Future of Work Declaration, which reads together with the ILO MNE Declaration I referred to, we look at the value of the human-centred approach.

Today's forum is organised in the context of the Tokyo 2020-ILO partnership, and is a prime example of social dialogue. How can we draw on the capacity of social dialogue to bring relevant stakeholders together in a constructive collaboration? I and the ILO team here today are ready to facilitate the exchanges and also to be a resource where we can. As mentioned early on, we would like to take the success of the Tokyo 2020 process - which I'm sure it will be - and present it to Paris 2024 when they go and embark on their processes. So, we are moving on from Tokyo to Paris. And we would like to take the success of Tokyo 2020 Games to the next level into Paris.

Most recently, the MNE Declaration was updated in 2017 to embed it in the context of global supply chains. And we wanted to talk about the Fundamental Principles and Rights of Work, which are included in the responsible business conduct. The respective responsibilities of governments and multinational enterprises as set out in the ILO MNE Declaration are well-aligned with the 'protect, respect and remedy' framework established by the UN Guiding Principles on Business and Human Rights. Governments have a responsibility to maintain the rule of law. Multinational enterprises have a responsibility to respect the rights of the states in which they operate and under national laws. The due diligence measures adopted by multinational enterprises should identify and assess any actual or potential adverse human rights impacts either as a result of their own activities or as a result of other business relationships. Let me conclude by highlighting that in the context of human rights and labour rights due diligence, the MNE Declaration provides that due diligence processes should take account of the central role of freedom of association and collective bargaining as well as industrial relations and social dialogue.



'JAL's initiatives to promote gender equality and women's empowerment'

Satoshi Fuke

Vice President, HR Strategy Department, Human Resources Division, Japan Airlines (JAL) Co., Ltd.

I will explain about JAL's corporate policy, visions, contribution for society, and initiatives to promote sustainable society and decent work. Diversity and Inclusion (D&I) are the keywords in our activities. I will particularly focus on our initiatives to promote women's empowerment and understanding towards LGBTs.

In our corporate policy, we touch upon sustainable society, good workplaces, and contribution towards the society as the overall objective. It reads 'the JAL group will: pursue the material and intellectual growth of all our employees; deliver unparalleled service to our customers; and increase corporate value and contribute to the betterment of society.' Our understanding is that the pursuit of material and intellectual growth of all our employees is a precondition, and delivery of good service to customers and social contribution build on it.

How do we operationalise this corporate policy? Of utmost importance is to protect peoples' lives and thus our operation is based on the 'Safety Charter.' And we have a 'JAL Philosophy' and a so-called "amoeba management system" or management philosophy of 'management by all' that work in parallel to realise our vision. JAL Philosophy informs how we can realise the corporate policy and explains the right way of thinking as a human being. The 'amoeba management system' is a business management mechanism that introduces participatory approaches in the company's management involving the employees. We break down the organisation in small units, and each unit leads in their management. Employees in different units, such as cabin crew, operation crew, engineers, handling

staffs, and general administration, work together to offer the best service to our customers. The value referred to is for both the customers and for the society. The aim is that through the collective efforts made in our airline business we offer the best value for our customers and the society.

We also have the 'JAL Vision' that translates the corporate policy, and it is in line with the vision of the Tokyo 2020 Games. Our vision 'transform into a truly global airline' and 'creating new values' aims to promote diversity and seek to create new values through gathering people from diverse backgrounds. And 'We achieve sustainable growth.' We have also worked on the Sustainable Sourcing Code of the Tokyo 2020 Games. The original plan was to work on the aspects of environment, human rights, labour and economy of the Sourcing Code. Further discussions led us launch an initiative for the entire company that could last even after the Games. In July 2019 we therefore established 'Promise to the Society' as the code of conduct for the entire JAL group incorporating the contents of the Tokyo 2020 Sourcing Code. It contains a detailed action plan to realise the corporate policy. The contents covered include: safety; customer satisfaction; trust from the stakeholders; respect for individuals and decent work for all; mission and responsibility as a corporate citizen; earth conservation for the next generation; and fair business conduct. The 'respect for individuals and decent work for all' essentially means promoting decent workplaces through respect for human rights and diversity.

The JAL Group Human Rights Policy was also launched in August. It reflects our commitment to respect for human rights and promotion of diversity and inclusion. We plan to introduce human rights due diligence as well, and will disclose the results to engage in a social dialogue with various stakeholders. Through these activities, we will share our way of thinking with the business partners to foster their understanding and to put the vision into practice. Efforts will be made to include enterprises in our supply chains.

Concerning our activities on women's empowerment, our focus has been to assist them to work, rather than to support them to take leave. With regard to the promotion of understanding about LGBTs, our objective is to end discrimination, given that 1 in every 13 people are said to be an LGBT. While it is difficult to identify them, unconscious discrimination may occur. Therefore, our activities aimed at fostering understanding and same-sex partnership, for example, are also extended outside the office through organising public events. This August, we operated a chartered flight in support of an event called Pink Dot Okinawa.

In advancing workstyle reform, we need to work simultaneously on the promotion of Diversity & Inclusion. By reducing the total hours of work and by introducing teleworking arrangements, we aim at allocating more time for business performance improvement and personal development of employees. The ultimate goal is to create new value and improved corporate value. We will continue working on these as a long-term commitment based on the Code of Conduct and Human Rights Policy of our company.



Kenta Goto

Professor, Kansai University

As a professor of economics, focus of my research recently has been on global supply chains. Given my previous working experience in the ILO, I continue to be involved in the work of the ILO, and in this regard, I have spoken in forums and study groups about the good practices in promoting the labour dimension of CSR and decent work, and how they relate to company competitiveness. Business often respond: 'We are too busy to think about decent work, nor do we have time for CSR.' However, CSR

is 'pro-business' and sustainability is at the core of business operations. Having worked in the private sector at Itochu after graduating university, I can somewhat understand such feelings. Yet, there is no doubt that business need to be sustainable, and CSR is a way to guarantee that. Therefore, one should not forget that undertaking CSR activities is actually 'pro-business.'

In the 20th century, the production process of goods and services used to be integrated, especially in Japan and in Asia. In the 21st century, however, the world has dominantly become connected by global supply chains or global value chains. That is particularly the case in Asia, and Japanese businesses have also been affected by the developments. The challenges in the 20th century was to ensure decent work only within the company business operation. However, this is not the case in the 21st century. There is a need to consider the situation within the company, including the overseas offices in countries like China, Viet Nam and Thailand. Furthermore, there is a need to ensure the competitiveness of suppliers in Thailand, with whom your company only has non-equity-based relationships, for example. This is because in the 21st century, corporate competitiveness is acquired through network and partnerships, not just from a single company.

Then, how can we ensure decent work? In the case of the electronics industry, for example, the Responsible Business Alliance (RBA) sets out the code of conduct that helps businesses to pursue good practices on a *de jure* basis. On the other hand, those practices embedded in day-to-day operation of Japanese businesses are done on a *de facto* basis. Many Japanese businesses operating in Viet Nam are pursuing various such practices. For example, they are implementing measures to attract and retain qualified and skilled workers. Though such practices are not institutionalised as rules, they are embedded in their operations and contributing to enhance business productivity in Viet Nam and China.

From 2015 to 2017, I was involved in a supply chains project in Viet Nam that was funded by the Government of Japan. The report of the project is available in English on the webpage of the ILO Enterprises Department. The pink booklet distributed in today's forum also contains information from the report. The actual names of enterprises are mentioned on the English report that feature their business practices in detail. One of such cases was about a Japanese electronics brand that procures various sophisticated parts from suppliers in Viet Nam and assembles those parts into final products in its factory in Viet Nam. While the technological capability of suppliers is crucial, their capability in retaining workers is also important. Viet Nam is undergoing a rapid economic development, and it is becoming more and more difficult to retain skilled workers in the vibrant market. It is a big damage for the company if the workers they trained decide to job hop. Therefore, companies are implementing various initiatives to ensure the workers they have trained will keep working for the company. For example, the Japanese electronics brand that I mentioned sends its subject matter experts to their suppliers to conduct trainings on technical operations. The company also sends human resources expert to its suppliers, and provides advise based on their own experience on how

to better retain workers. The brand conducts this under its partnership with the supplier. This is how corporate competitiveness is enhanced in the 21st century.

My key message is that CSR and decent work are ‘pro-business’ and thus pursuing CSR should not be regarded as a new burden. Rather, it is likely that ‘good practices’ are already an integral part of the Japanese companies’ day-to-day business operations, and you may get inspirations from pausing a moment and to look into your own company operations.



‘Realising labour CSR in workplaces’

Takeshi Shimotaya

Executive Director, The Global Alliance for Sustainable Supply Chain (ASSC)

ASSC’s mission is to support businesses to take actions in solving issues on human rights, labour and environment in their supply chains, through building partnerships among businesses, trade unions and NGOs. Many human rights and labour related issues

with businesses have been reported, including forced labour, child labour and human trafficking. These are caused by businesses, and they are also happening in Japan, not just abroad. In Japan, there have been concerns about human rights exploitation of foreign migrant workers, such as foreign technical interns, to supplement the lack of workers in preparation for the Tokyo Olympic and Paralympic Games in 2020. International NGOs and trade unions are conducting surveys on the situation.

Under such circumstances, it is very important for Japanese businesses that have supply chains both inside and outside Japan to take actions to solve such issues. It would be crucial to forge partnerships among businesses, trade unions, NGOs, and concerned overseas parties, and ASSC’s role is to enhance such partnerships. In encouraging businesses to take actions, we assess materiality for each business to identify their priorities and resource allocations, then conduct human rights due diligence to assess the company’s impact on human rights, and we also support establishing remedy mechanisms. ASSC also provides support for CSR/sustainable procurement, as well as Self-Assessment Questionnaire (SAQ) analysis and social labour audit, based on our abundant experience from the frontline. Furthermore, we conduct capacity building for businesses to explain why and how they should carry out these activities.

We have established the grievance mechanism, called ‘ASSC Worker’s Voice’, to accept reports from workers in the supply chains concerning issues such as human rights violations. Through a mobile phone application, ASSC can directly receive reports, and foreign workers, including foreign technical interns, are able to learn about the labour laws concerning overtime work and salaries in their mother tongue. Furthermore, we have established and implemented initiatives such as the roundtable for foreign workers since last year to discuss appropriate measures to be taken for foreign technical interns in particular.

What we have learned through our activities is that there is an increasing demand towards businesses to conduct sustainable procurement and to look into their supply chains. Such demand is in line with the UN Guiding Principles on Business and Human Rights and the ILO conventions, among others. Through conducting SAQ for suppliers and interviews with workers as part of social and labour audits,

I could sense the strong need for businesses to enhance their organisational culture to operate sustainably and responsibly.

Based on the SAQ, fact finding surveys, and interviews conducted during social and labour audits, we gather voices of factory workers and propose a corrective action plan for businesses. Workers tend to have limited understanding of national laws and guidelines, while their working conditions and relationship with other colleagues seem generally well. However, according to the voices heard through the 'ASSC Worker's Voice', on the other hand, the lack of knowledge of workers seem to be attributed to the lack of guidance provided by employers, and unsatisfactory conditions on salary, paid leave, working hours and even a case of a forced deportation are reported. These evidences suggest that we need to set up an environment where workers can talk about issues freely and safely. A 'worker- driven monitoring' is gaining much attention nowadays, and ASSC is also working on it.

Through social and labour audits of supply chains inside and outside Japan, issues concerning working conditions, migrant labour and occupational health & safety have been identified in varying degrees. To work on such issues, we encourage businesses to first understand the issues, collect information, and participate in initiatives to help assess their current situations. We also conduct SAQ for factories, fact-finding survey, social labour audit, and interview workers and international NGOs. Furthermore, we conduct SAQ for suppliers, make recommendations for correction and continuous monitoring of the corrective action plan, collect voices of workers (by introducing a grievance mechanism or holding a dialogue with trade unions and NGOs), and regularly participate in initiatives – these are based on our belief that it's important for businesses to understand the situations and take actions accordingly.

To conclude, in view of the current global trends, it seems most important to take actions first, rather than to contemplate for a long time. While there is an increasing demand from ESG investors and others to disclose information through sustainability reports and statement to act on modern slavery, what is evaluated the most is what businesses do in practice, rather than the reporting of action. And sincere actions are highly evaluated. Having dialogue with stakeholders is essential, but further actions - for example, solving issues on human rights and labour, participating in initiatives and engage with concerned parties, listening to the voice of workers including rights holders – would be important for ensuring decent working environments.



'RENGO's initiatives towards the successful staging of the Olympic and Paralympic Games Tokyo 2020

Naoto Oomi

Vice-President, JTUC-RENGO

I will talk about realisation of labour CSR practices in the workplace.

When we think about this issue, we need to first acknowledge the globalisation of our economy. While globalisation has contributed towards expansion of world trade and increased employment, it has also worsened inequality. Such adverse effects are increasingly more serious on issues such as human rights, labour and environment. We need to overcome the downside of globalisation and to develop in a sustainable manner. In tackling these issues, there are respective roles and responsibilities to be taken by the government, enterprises, NGOs, and individuals. In particular, enterprises are facing strong demand to work on issues such as environment, poverty and human rights.

In the area of labour, laws and international treaties have been established based on the idea that basic human rights need to be respected and people's lives need to be guaranteed in the markets where transactions of goods and money are made, because those who provide labour are people that have human rights.

From the perspective of human resources, enterprises have taken measures to enhance the quality of labour through vocational training and capacity development. Other measures have also been taken to maintain good working environment and to provide benefits for workers given that corporate value is enhanced where workers are motivated to work.

As for the employer-worker relationship, workers' right to associate and to establish trade unions have been recognised, and rules have been established for workers to sign collective agreements with the employers regarding various working conditions. CSR is about how enterprises as a member of the society embed considerations on social justice, labour and environment into the business activities. And common understanding is being shaped on their standards. Efforts are also being made around the labour dimension of CSR to integrate international common perspectives into our established rules and norms.

What is important is to respect international norms. We need to avoid being complicit with activities of organisations that do not comply with the international norms. The concept of complicity is to assist and facilitate illegal act or inaction, and to solicit such behaviour. And there are complicities that are legal as well as those that are not illegal but inappropriate. Legal complicity means having the intention to be complicit with illegal activities such as crime and to take action that would give substantial impact to the realisation of illegal act, or inaction. Non-legal complicity would be considered when organisations knew the possibility of having negative impact to the economy, society and the environment, or to have facilitated such negative act knowingly.

Also, if an organisation is silent about such acts or if they make profit from such acts, it can also constitute complicity. In my opinion, complicity is questioned in concrete terms when it relates to violation of human rights. The act of making profits by investing and trading in South Africa, when the country had once adopted the apartheid policy, was considered complicity. Even now, there are states where military administration represses human rights and violates them. There are countries that are under UN sanctions. Obtaining direct or indirect profits from such countries or giving silent approval on such repressive acts may be considered complicity. This includes sending economic profits through transactions with companies that infringe on the fundamental labour rights. An example would be to make profit through transactions with companies that provide cheap products that are made by child labour, knowingly.

We therefore should include common features of international legal norms in the due diligence process. It is hard to find a good Japanese translation for 'due diligence', but it means taking action actively to avoid negative impact. It is possible to recognise the risk of complicity, to prevent and to deal with it. Due diligence is a concept based on the 'Ruggie report' submitted to the United Nations Human Rights Council in 2008. The idea has received wide support and has been incorporated in the thinking of OECD, GRI (Global Reporting Initiative) and ILO, among others. Enterprises are required to pass all items regarding human rights and labour; one should not be selective by picking up only the parts that are easy to do or convenient. In other words, companies should not cherry-pick. Another important feature of due diligence is its focus on stakeholder engagement in the process.

There is a method of proceeding with third-party authentication to verify whether social responsibility is practiced and whether the applied method is appropriate. It can also be done through stakeholder engagement - and this is the engagement process pursued by employers and workers. In Japan, a trade union as a company-specific union are within a company, whereas in overseas, unions engage

with companies from outside and many NGOs exist operating in areas such as human rights and environment. And it is recommended to take actions with involvement of such organisations, rather than blocking them. Doing so would prove that the company has acted in a socially responsible manner.

Rengo participated in the development process of the Tokyo 2020 Sustainable Sourcing Code, and have stated the importance of including labour and human rights as part of the fundamental principles; indeed, such contents were included. For the settlement of grievances reported through the Grievance Mechanism, Ms. Gono from Rengo who is also an ILO Governing Body member participates as an Advisory Panel member with a view to enhancing the neutrality and fairness of the process. In the Health and Safety Council, which deals with health and safety issues in the construction sites of Olympic and Paralympic Games, Mr. Shinohara was appointed to enhance coordination. Rengo will continue with these efforts to ensure the success of the Olympic and Paralympic Games Tokyo 2020.

Q&A

- Question by MP Hiroshi Hase, Member of the House of Representatives and Vice Chairman of the Japanese Parliamentarians' League in support of ILO activities, Chairman of the Japanese Parliamentarians' League on LGBT issues

First, I would like to ask JAL about the latest situation regarding the issue of unfair dismissal. I follow this matter with particular interest and feel it should not prolong for so long. Second, to Mr. Shimotaya who has pointed out this session responds to the increased attention to the topic towards the Tokyo 2020 Games, what are the most pressing issues that ASSC would put forward towards the Games.

- Response by Mr. Fuke, Japan Airlines Co., Ltd.

Our company went bankrupt in 2010 and drastically reduced its business as part of the restructuring plan, and also sold the aircrafts. It has caused much inconvenience for the former shareholders, and financial institutions also gave debt waivers. As the business downsized, the company reduced its workforce from about 50,000 at that time to around 30,000. Voluntary retirement was also introduced, but in the end 165 employees were dismissed as the number was not met. After that, trials took place, and though the process has ended, disputes continue with those who are in support of the workers. We continue dialogue with the trade union as well. We have been receiving a variety of requests and have continued dialogue aiming to solve the matter; however, the process continues as agreement has not been reached in some parts. Re-employment of dismissed workers and those who had left JAL started last year; however, the reality is that solution through re-employment has not yet reached a solution given age constraints. Through dialogue, JAL will continue to look into what it can do as a company.

- Response by Mr. Shimotaya, ASSC

I will respond by giving perspectives on what enterprises should do towards the Tokyo 2020 Games. Global trends are set based on the UN Guiding Principles on Business and Human Rights by introducing human rights due diligence, and states have the duty while enterprises have the responsibility to respect human rights. Under such circumstances, it is essential to first identify where within the company's supply chain human rights violation or labour exploitation is taking place. Enterprises are taking action in accordance with the Guiding Principles, including through human rights impact assessment. While some enterprises have established human rights policies and promotes them within the company and its subsidiaries,

they need to identify where human rights violation is actually taking place. Issues concerning foreign workers in Japan or overseas migrant workers are being raised. They are called 'modern slavery', moving from one country to another with debt bondage. Enterprises need to identify where such workers are within their supply chains and to respond to the issues towards the Tokyo 2020 Games.

Final comments from panellists

Prof. Goto: Another lesson learned from the project in Viet Nam is the importance of dialogue. Dialogue is not a panacea for solving all issues, yet it is essential for resolving the issues. One of the challenges in this globalised era is to consider new dialogue mechanisms by going beyond own business operations and domestic tripartite structure, by involving local suppliers.

Mr. Oomi: To ensure successful Olympic and Paralympic Games Tokyo 2020, Rengo has requested the Minister in charge of the Tokyo Olympic and Paralympic Games three times to ensure implementation of the Tokyo 2020 Sourcing Code which gives due consideration to the protection of workers' rights and sustainability. Rengo also actively collaborates in the 'Tokyo 2020 Medal Project' by setting up boxes for collection. I myself donated my old smartphone. We will continue with our efforts in making the Games a success by encouraging our members to participate in such activities.

Part II

Special address

‘Challenges in realising decent work in the sports goods industry: Making ‘uninterested’ athletes to become ‘interested’ in the topic.’



Noriko Mizoguchi

Professor, Japan Women's College of Physical Education,
Olympian and Silver Medallist in Judo of the 1992 Barcelona
Olympic Games

As an Olympian who has become a sports sociologist, I will address the ‘challenges in realising decent work in the sports goods industry: how to make ‘uninterested’ athletes to become ‘interested’ in the topic.’ Twenty years ago, when I participated in the 1996 Atlanta Olympics, I met Ms. Arai from the ILO, who was then serving as an interpreter of the Japanese Judo team, and our friendship has lasted ever since. After retiring as an athlete, I moved to France and participated in the 2004 Athens Olympics as a coach of the French national judo

team. After that, I started my career as a sociologist. Currently, I am teaching at a university, and also serve as a member of the board of a sports association and an advisor for a sports brand.

Especially since becoming a coach of the French national team, I became interested in the sports goods supply chains and the Japanese sports industry from a European perspective. Since I became an advisor to the management of an overseas brand, I have been conducting research on how the supply chain management of the sports industry should look like. Last year, I attended the second Tokyo 2020-ILO Sustainability Forum as an audience, and was very impressed by Ms. Arai's message that the supply chains of the sports brands should work together in advancing decent work and aim at winning a gold medal for their work. No doubt, sports goods are important tools for the world's top athletes; however, I noticed that factories and their supply chains often lack appropriate working conditions, and such reality was unnoticed by athletes who rely on these products.

Elimination of child labour in the football manufacturing industry is one of the challenges the ILO has been working on for a long time. Ms. Arai explained that many children were working to produce footballs in Pakistan, but the situation has changed after the sports brands implemented strict labour management and started to protect children's rights. I was very encouraged to learn that the issues have been addressed and improved. However, when I look at the sports goods industry as a whole regarding the situation of licensee factories and their supply chains, much more needs to be done. Even though the ILO keeps raising the issue, the awareness of athletes remains low, and this is a big problem. To be honest, when I was an athlete, I knew the name of the brand of my Judo uniforms, but did not know by whom and how the uniforms had been made. At that time, I was ignorant, and my only interest was to win a gold medal.

Ever since I have become a researcher, I came to know better about the situation in the sports industry, and have learned that the situation in the manufacturing of judo uniforms was just as problematic as the one for footballs. Judo uniforms supplied for the Olympic Games are those of the world's famous licensee brands and most of these companies do not have their own factories, thus the manufacturing process is outsourced to suppliers. This situation inevitably makes ambiguous who are the

manufacturers and who takes the responsibilities. Judo uniforms are made of unique Japanese fabric using the *sashiko* technique, and are traditionally produced. This work requires a high level of sewing technique and is difficult to sew by machine, so the uniforms are handstitched in most cases. Furthermore, special looms are used to create a unique fabric, and a special handcraft called *aizome* is often used to dye blue judo uniforms. Thick collars, belts and embroidery are made with manual sewing machines, or are sometimes handstitched. This is a typical household-based handcraft industry.

Currently, the majority of judo uniforms are made in Pakistan, China and in Viet Nam, while those used by the world's top athletes are mostly made in Japan. 100% of uniforms used by Japanese judo players are made in Japan. And the production is sustained by the so-called foreign workers and part-time female workers – those who earn less than 1,030,000 Japanese yen per year (roughly 9500USD), to maintain eligibility for spouse deduction. In particular, the sports goods catered for top athletes are custom made and orders are made on an irregular basis, making it difficult to predict the amount of expected income. It could be said that supplier factories must push the workers to work beyond decent working conditions in order to meet athletes' request put forward to the brands to deliver them high quality uniforms in a short period. Therefore, the athletes' requirements could be the underlying cause of long working hours and unstable working conditions. Unfortunately, many athletes are not aware of this situation, and I think this is problematic. In Japan, wages of women are often lower than for men. Moreover, women workers may prefer to keep their annual income below the 1,030,000 Japanese yen threshold, to be eligible for the spouse deduction (Otherwise, they would have to pay the social security cost themselves, and their husbands receive fewer tax deductions). This makes female workers to be treated as second-class workers. A new residential status for foreign technical interns called 'Special Skilled Worker (*Tokutei Ginou*)' was introduced in Japan this April, also prompting further increase of foreign workers in factories.

How can athletes contribute towards changing the working conditions in the sports goods supply chains? It is very important that not only the sports brands and their supply chains but also the athletes themselves become interested in promoting decent work in the sports goods industry.

Athletes should not see their sporting goods as mere tools for their competitions. It is crucial for them to understand how their sporting goods have been made, and to be considerate towards the workers who produced them. The brands also play an important role in providing feedback or passing on such messages to athletes and their suppliers. I would therefore like to make a concrete proposal on how such feedback could be made. The current relationship between athletes and suppliers can be characterised as 'no see, no hear, and no say.' Let us do the opposite and reverse this situation by recognising each other's presence, that is, through visualisation, listening, and communication.

Brand license manufacturers can go beyond mere provision of goods for athletes and raise the awareness of the athletes and of the society towards the issue. They can communicate their product concept and the thinking behind the production via movies and photos posted on SNS. That would enable athletes to become aware and allow for themselves to also share such information through their SNS postings. Nowadays, photos of vegetable producers and farmers are often shared on SNS, and I believe athletes can take a similar approach by visiting and observing the manufacturing site and share what they have seen - this would have an effect beyond advertisement, towards enhanced quality assurance and protection of workers. Brands therefore need to make additional effort towards enhancing its visualisation, listening and communication of their manufacturing process in order to serve as a bridge for fostering dialogue between supplier factories and athletes. I myself will also further deepen my knowledge to promote decent work and will continue to send messages as an Olympian so that everyone in the sports industry can win a gold medal for their lives.

Information session: Ending Violence and Harassment against Women and Men in the World of Work



Yukiko Arai

Senior Specialist, Multinational Enterprises and Enterprises Engagement Unit, Enterprises Department, ILO Geneva

The ILO annual conference in June adopted the new [Convention No.190](#) concerning the elimination of violence and harassment in the world of work and the [Recommendation No.206](#) concerning the elimination of violence and harassment in the world of work. Violence and harassment in the world of

work are major challenges for the ILO in promoting decent work for all women and men, and the Convention recognises that such behaviour can constitute a human rights violation or abuse, and poses a threat to equal opportunities - thus unacceptable and incompatible with decent work. Based on this recognition, the Convention and the Recommendation have been adopted as the first international standards on violence and harassment in the world of work.

Violence and harassment were defined for the first time. The term 'violence and harassment' in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment,' and reminds ILO member States that they have a responsibility to put in place a 'general environment of zero tolerance.' To avoid any misunderstanding, it should be noted that this is not a new international labour standard on gender; it is a convention and a recommendation on violence and harassment in the world of work.

The Convention aims to protect all workers and other persons in the world of work - irrespective of their contractual status; persons in training such as interns and apprentices; workers whose employment has been terminated; volunteers, jobseekers, as well as job applicants. It also applies 'individuals exercising the authority, duties or responsibility of an employer.'

The Convention specifies that violence and harassment may occur not only within the workplace but also during business trips, and even while commuting to work. Considering the relatively long hours of commute in Japan, this may be a point to take note. Furthermore, the Convention also applied to violence and harassment occurred during work-related correspondence and communication, such as e-mails and SNS. Increased use of SNS has facilitated communication; however, this Convention underlines the possibility of harassment. In addition, it comprehensively specifies the place where violence and harassment could occur, including employer-provided accommodation and places where workers take a meal.

As mentioned earlier, this is a convention on violence and harassment, not gender. Gender is an important component of this Convention given that gender-based violence and harassment disproportionately affects women and girls, and thus recognises that tackling its underlying causes and risk factors is essential. For the ILO, violence and harassment at work is an issue of occupational safety and health. I conclude my introductory presentation by showing a video of a dialogue I had with an ILO occupational safety and health (OSH) specialist before visiting Japan.

Interview with Manal Azzi (OSH Specialist, ILO Geneva) on the new ILS on violence and harassment in the world of work



Azzi: I am an occupational safety and health specialist, and I work at the LABADMIN/OSH branch of the ILO. I work on issues such as the management and safety of chemicals in the world of work, that includes managing a global project on Occupational Safety and Health (OSH) for Small and Medium Enterprises (SMEs). I also coordinate the World Day on Safety and Health at Work. I am also responsible for the area of health promotion at work including mental health and the management of psychosocial risks., This is where the issue of violence and

harassment is very pertinent, as psychosocial risks could arise from or could lead to violence and harassment, and we work on the prevention of that issue in the world of work. This week was very important because we hosted a chemicals workshop, working closely with Special Rapporteur on Human Rights and Toxics that focuses on hazardous substances and on the right of workers in prevention and protection from hazardous substances at work.

Arai: The Centenary International Labour Conference in June has adopted the new international labour standards on violence and harassment in the world of work. It is now open for ratification by ILO member States. Could you please tell us the key features of this instrument from an Occupational Health and Safety Specialist's perspective?

Azzi: As you may know, this was a very long process. I was privileged to be part of this process and to give inputs from the Safety and Health perspective. It's a very strong international instrument, the very first Convention to ban violence and harassment in the world of work. For the field of Occupational Safety and Health, we've always dealt with violence and harassment. Physical and psychological violence are present in everyday working life. The Convention explicitly defines what violence and harassment are. It gives a description of all unacceptable behaviours, that could be a single occurrence or repeated, that have an impact on our physical life, that harm our psychological, economic and sexual life. That is very important because clear definition allows to improve statistics globally and it allows legislation to be more specific. For example, the Convention defines that issues like mobbing and bullying are part of what we would consider violence and harassment at work. For OSH that is important because anything that harms the safety and health of workers, their physical health or their mental health, is crucial. We cannot differentiate both as in all the Declarations that we follow and the Constitution of the ILO. This new international convention gives a definition, and also continues to give a comprehensive approach to prevent and manage risks from violence and harassment.

Arai: What are the key messages for companies who will be putting these principles into practice as their OSH management systems?

Azzi: We don't want to ask companies to create new systems and programs all the time. We know that there is a comprehensive OSH management system namely the ILO OSH management system guidelines of 2001. They follow a hierarchy of controls, so we want to be clear that it's not by patching or creating or addressing some of the issues would fix the problem. We need to start with a clear risk assessment, identify if we can eliminate the sources of such risks, and then have administrative controls or organizational issues in terms of violence and harassment that can prevent some of these incidents from happening and, at the very end, see how we can support workers to cope if they do happen. We believe that our OSH management system can be applied in companies and we will

continue to promote it. That would start by having a workplace level policy on Occupational Safety and Health that includes violence and harassment or a separate one on violence and harassment, depending on the size and potential of the company. Then, obtain management commitment, because these changes really start by what managers can do and setting the example; how they treat the workers around them and how that workers will be supported and protected in case they also come out and share information related to violence and harassment.

Arai: Building on your long years of experience working as the OSH specialist, could you tell us what resources, services as well as technical assistance the ILO could offer companies in this regard?

Azzi: The ILO has the privilege of setting norms around the world. We are a normative organization and our international framework affects legislation. So, first, we can support countries to draft legislation to protect workers from violence and harassment. This could be separate legislation pieces, or it could be included in other relevant legislation. The next phase is to set up a structure at the national level, where we have tripartite bodies. We have training schools, advisory schools, surveillance mechanisms to put this infrastructure into place, and compliance mechanisms enforcement, and trained and educated inspectors to actually get this legislation enforced. Then, at the workplace level, we can support these countries in applying OSH management systems. To do all this, we produce a number of publications, we run a number of trainings - for example, we have our SOLVE training which is on promoting health at work, including the prevention of psychosocial risks at work, including issues of substance abuse, nutrition, physical activity, and sleep because they are all interrelated. Interpersonal relationships at work are very much related to this issue. We also have a checkpoints guidance; it is a checkpoint on stress where we help companies - even in applications on the phone - to go through the various content and context related organizational issues in a company to see if you have them in place, if they are being followed, if they need improvement. It is a continual improvement process to see where we can fix the problem before the harm actually occurs.

Arai: Any new activity you might roll out specifically in relation to this new instrument?

Azzi: Yes. The issue of the world of work relates to third parties as well. All kind of harassment and violence does not only occur between workers themselves, but also from third parties and from workers towards third parties. Understanding that dynamic in relation to the Convention requires further research. Our next steps would be to gain enough resources and support to develop more research, to understand what are violence and harassment, what are the statistics on this issue, which sectors are most affected, review the legislation that exists and how it can be improved. More importantly, I am happy to announce that our next 'World Day for Safety and Health at Work of 2020' topic will be on violence and harassment from a safety and health perspective. We will soon start drafting some material, developing promotional campaigns to promote Convention 190 and its Recommendation, and to help companies, countries, member states, workers, employers, and their representatives have the right tools and the right information to implement this convention.

Arai: Any message you would like to share?

Azzi: Yes. I believe that the field of Occupational Safety and Health needs to think in a broader sense today. We cannot anymore work in silos. A Safety and Health specialist can no longer be only a hygienist, a chemical industrialist, or a safety engineer. We need to understand human resources, we need to understand law, technology, and use all these disciplines in favour of issues that are affecting the safety and health of workers, including issues that are complex. These are not physical hazards where you can assess an injury or document it. You need to look at critical events, you need to look at situations that may cause a conducive environment to such cases. We need to remember that these are cases that cause high levels of suicide, anxiety, depression, and also physical problems such as

gastrointestinal problems, diabetes, hypertension, and other issues that workers are facing due to this mental health stress at work from exposure to violence and harassment and other psychosocial risks. Broadening the discipline of Safety and Health and bringing together different disciplines would be the advice I would give - moving forward in tackling this very important and complex issue.

Arai: This interview is available on the [ILO website](#) with Japanese subtitles. The ILO OSH Guidelines (2001) mentioned in the dialogue could also be accessed from the [ILO Helpdesk for Business website](#); also accessible via the [Japanese version of the Helpdesk](#) website. I would now like to invite our two panellists to share their views on the new Convention and Recommendation on violence and harassment in the world of work.



Kinya Tokuhiko

Deputy Senior Director of Sustainability, Tokyo 2020

Given the newly adopted ILO Convention and Recommendation, I would like to talk about Tokyo 2020's approaches on the abolishment and elimination of violence, harassment and discrimination. The three core concepts of the Tokyo 2020 Games are: 'Striving for your personal best'; 'Accepting one another'; and 'Passing on Legacy for the future.' The second concept is about

diversity and harmony, which is the theme of today's forum. We want to re-affirm the importance of diversity to make this an opportunity to nurture a harmonious society. Such spirit is also set in the basic principles of the Olympic Charter adopted by the International Olympic Committee (IOC). Under these concepts, we have been making efforts to creating an environment where everyone involved in the Tokyo 2020 Games receive no discrimination or harassment on the grounds of race, skin colour, gender, sexual orientation, language, religion, politics, social status, age, and disability, and that everyone feels they are welcomed in the Games. In order to create an environment where everyone can actively work, it is very important to realise the diversity and inclusion (D&I) concept, and we continue to emphasise this within the Tokyo 2020 Games' preparation team.

As for specific measures taken, we have created and distributed a handbook for Tokyo 2020 staff, to enhance their understanding and respect for D&I. Staff of Tokyo 2020 have joined from various organisations and thus it is important for us to respect diversity. We have also conducted seminars for contractors on D&I so that the concept will spread to a greater sphere. Furthermore, we have requested our suppliers and licensees to comply with the Tokyo 2020 Sustainable Sourcing Code, which explicitly prohibits discrimination and harassment. More specifically, the Code requires Tokyo 2020 suppliers to eliminate discrimination and harassment in every process of goods manufacturing and delivery. We have just over ten months to the Games, thus we will strengthen our effort to eliminate discrimination and harassment. The adoption of the new Convention and Recommendation has a strong significance for Tokyo 2020 and its suppliers, and I believe it supports the sustainability movement to prepare for the Tokyo 2020 Games.



Noriko Mizoguchi

Professor, Japan Women's College of Physical Education, Olympian and Silver Medallist in Judo of the 1992 Barcelona Olympic Games

It is a welcoming movement that the Convention and Recommendation on violence and harassment have been adopted. Ever since the reporting made in 2012 concerning the violence and harassment that female judo athletes received from their coaches, we are increasing hearing about the issue concerning the governance of sports associations and violence and harassment within sport federations. It is significant that the ILO has adopted a Convention on violence and harassment issues at the global level. In the world of sports, athletes are workers and sports associations are their employers. And athletes are often paid by their sponsor companies. The adoption of this convention will enable us to work on the issue of violence and harassment more specifically.

Speaking of women - Back in 2012 when the allegation on violence and harassment was made against the Judo federation, it was a group of female athletes that raised the issue. However, it turned out that male athletes were victims of a more aggressive form of violence, but the situation did not allow them to speak out in those days. Mr. Shimomura, who was the Minister of Education, Culture, Sports, Science and Technology at the time, appealed for the elimination of violence and harassment in the world of sports, and in response, *Zenjuren* (the All Japan Judo Federation) started a drastic organisational reform. As a member of the association, I have been actively involved in this project. Men could not speak out and endured even more harsh experience than women did. The athletes lacked the channels for their voices to be heard, and harassment escalated, and violence increased under such situation. Although the world of work and sports may look different, violence and harassment occur in the completely same way. It may be easier to listen and accept if women raise the issues. I conclude by expressing my hope that action to promote this Convention on violence and harassment accelerates so that gender issues are also taken up, including in the world of sport.



Arai: No ILO member State has ratified this Convention given that it was only adopted in June. Our role would be to disseminate information and raise its awareness. Conventions are ratified by the State who translates them into national laws; only then they become applicable to companies. Recommendations are based on the principles of international labour standards and apply to enterprises without going through the process of ratification. ILO is currently preparing new tools to explain and unpack the contents of this new international labour standard. They will be made available when ready.

Violence and harassment at work is an occupational safety and health issue, but the gender component is an integral part given the reality that gender-based violence disproportionately affects women and girls. Tackling the underlying causes and risk factors is essential. The new Convention and Recommendation were adopted based on the notion that in order to combat violence and harassment in the world of work, action is required for both women and men, and not just for women.

Ms. Mizoguchi referred to athletes as 'workers.' I take this opportunity to share that the 'Global Dialogue Forum on Decent Work in the World of Sports' will be held in Geneva from 3rd to 5th December 2019. It will be the first time the ILO will address sports as a form of work, and the discussion will bring together tripartite representatives representing the government, employers and workers. The rising number of player unions and collective agreements in sports, as well as the growing financial importance of the sector, points to the importance of a discussion of this topic. This dialogue will allow for a holistic discussion. Some salient issues will be social dialogue, OSH (injury, doping, violence),

gender equality, and skills development. The second career of athletes (life after sport) – which is often an issue taken up by the International Olympic Committee as well as the Japanese Olympic Committee – will also be discussed.

Session 2: Building Our Society through Realisation of Decent Work



Moderator: **Yusuke Hibino**

Director of Sustainability Operation, Tokyo 2020

In this session, we will share information and perspectives on the current situation surrounding decent work and will also look into the actions required in 2020 and beyond.



Shinichi Akiyama

Deputy Assistant Minister for International Affairs,
Minister's Secretariat, Ministry of Health, Labour and
Welfare

The realisation of 'decent work' which the ILO promotes is also enshrined in Goal 8 of the Sustainable Development Goals (SDGs) and is a shared target for all countries and all persons, in both developed and developing economies. Yet there are many challenges, for example, unemployment, hazardous work, unstable income, and gender inequality. According to the ILO, more than 60 per cent of the world's employed population are in the informal economy. This has been an issue in the world of work, and it is reported that most of them are working without social security and lack fundamental rights at work. These issues are not limited to a specific country or industry, but is widespread across borders through globalisation. The importance of realising decent work increases for enhancing the sustainability of the global supply chains.

What can we do as Government? The Ministry of Health, Labour and Welfare (MHLW) has contributed to promoting decent work through voluntary contributions to the ILO since 1974, mainly to support projects in Asia. This year, the voluntary contribution to the ILO has reached its record high of 580 million yen (approximately 5.4 million USD). In order to enhance the effectiveness of various labour-related initiatives in promoting decent work, engagement and cooperation with the local employers and workers organisations is vital. On this understanding, we can expect the optimal results if a tripartite body, the ILO, implements the projects. In addition, as a specialised agency of the United Nations, the ILO has the expertise and know-how on employment and labour issues. It has strong networks and trust also beyond the tripartite constituency, with the development cooperation partners in each country, such as NPOs and NGOs. These are the reasons why the MHLW has been partnering with the ILO to implement international cooperation projects.

I will talk about two projects funded by the MHLW. The [first project](#) supported [activities in the electronics manufacturing sector of Viet Nam](#), and completed implementation in December 2018. Focusing on the Vietnamese electronics sector and working closely with the tripartite constituents, multinational enterprises and their suppliers, the project contributed towards advocating that companies operating in line with the principles of the ILO MNE Declaration enhance their business competitiveness. At the same time, the project supported building the capacity of labour

administration, especially the labour inspectorate. Not only the enforceable *de jure* approaches, such as laws and labour inspection, but also the improvement of *de facto* management and labour practices arising from strategic approaches and labour-management communication at the workplace become critical. Win-win relationship is established when these two approaches are combined. A cross-border 'tripartite plus' dialogue was organised with the support of the project, attended by the Vietnamese and Japanese tripartite constituents as well as multinational enterprises. Mr. Matsui (member of the Employer's group of the ILO Governing Body) and Ms. Gono (member of the Worker's group of the ILO Governing Body) also attended. As an outcome of this project, the [Electronics Business Coalition](#) was established, bringing together the stakeholders in the Vietnamese electronics sector, i.e. the multinational enterprises, their suppliers, the government, as well as employer and workers organisations. The Coalition organised dialogues to discuss common challenges facing the industry and to reflect them on government policies.

Another project is on the elimination of child labour in the Philippines and Myanmar which will start this year. There are various forms of child and forced labour that need to be eradicated, and the SDGs also aim at eradicating child labour. The issue has also been discussed in G20 and G7, calling on countries to end child labour. This project will help strengthen labour inspection and will promote social dialogue amongst the government, workers, and employers. MHLW believes that efforts made through these projects are important for creating a level playing field for Japanese companies operating in Asia. MHLW will continue to cooperate with the ILO on international employment and labour issues through development cooperation activities.



Hiroyuki Matsui

Member of the Employer's Group of the ILO Governing Body and Senior Advisor, Labour Legislation Bureau, Japan Business Federation (Keidanren)

Keidanren has extended its active support to the project in Viet Nam presented by Mr. Akiyama since its planning phase. What is important is how policies and various institutional requirements are put into practice at the workplace level, and business organisations such as Keidanren can play a crucial role.

Two years ago, Keidanren established its SDGs Committee. This has demonstrated Keidanren's strong willingness to work across industries. Keidanren has also established the Charter of Corporate Behaviour, which incorporates the concept of the ILO MNE Declaration. The Charter has comprehensively covered the contents of the OECD and ILO guidance documents to facilitate the understanding by Japanese companies, and Keidanren widely disseminates it to its member companies as well as to the broader business community. Although the ILO MNE Declaration refers to 'multinational enterprises' in its title, multinational enterprises cannot act on their own. The Declaration was recently revised on the notion that collective efforts involving all actors including suppliers are needed. Operational tools of the MNE Declaration are annexed from page 25 onwards. Important to note that they are not to be forced. Dialogue is crucial, and I invite you to use the Declaration as a tool to promote such dialogue.

I conclude by expressing my expectation towards the Tokyo 2020 Organising Committee that the visibility of our collective efforts be increased through enhanced communication so that the Olympians, general public, sponsor companies, and the Games suppliers become more aware. The ILO alone may receive limited attention among businesses, but Japanese people would show interest when it is combined with sporting events.



Akiko Gono

Member of the Worker's Group of the ILO Governing Body and Advisor on International Affairs (JTUC-RENGO)

Listening to the presentations so far, I am grateful for the hard work of Tokyo 2020. Unfortunately, however, workers are unable to see the efforts being made. In general, Japanese businesses do not disclose information until they reach a final solution, including in labour disputes. The difference from overseas businesses is that Japanese companies do not clarify how far they have done and what they can and cannot do.

As a Japanese, I understand that the Sourcing Code applies to the entire Tokyo 2020 Games, but perhaps the existence of the Sourcing Code does not really matter from the viewpoint of overseas workers. While I understand well the Japanese institutional structure, I fear that Japan could be misunderstood if a list is disclosed with simple statements that inform that the reported cases fell outside the scope of the grievance mechanism; it would be worth explaining the efforts made in responding to the reported case even if they were non-receivable. I say this in recognition of all the efforts being made – the Organising Committee should disclose to the extent possible all the good work done so that people can appreciate and understand better.

What struck me most in Professor Goto's presentation was that 'CSR is pro-business.' This concept has yet to permeate, and business representatives are also not convinced. I would like to request the ILO to share concrete examples that demonstrate how businesses have benefited through improved labour-management relationship that led to higher productivity. Speaking with companies, discussions tend to skew towards their preference to do business with companies without trade unions, or cheap labour. When I suggest that sound industrial relations be put in place through establishing a trade union, they respond that such an action would become a dilemma for business because that would mean increased cost thus making it impossible to place orders. Having solid data would enable us to overcome this challenge. We know from experience that sound industrial relations increase productivity and in turn become beneficial for the company as well as their suppliers; however, without credible data our argument becomes less convincing.

Challenges in realising decent work in my view is that businesses, not just multinational enterprises, have limited recognition of their basic responsibilities towards their supply chains. This is especially so in Japan. Companies feel that they cannot do much. As far as I am aware, companies in the sports goods industry have improved their CSR after being targeted and audited before the Athens Olympic Games. Judging from that experience, CSR is very important, but there is a reality that businesses hardly recognise its need unless they are criticised. While Olympic is a very good opportunity, employers and workers need to make enhanced joint effort so that businesses can benefit from undertaking CSR initiatives without first being criticised. According to the data released in September, 64% of the construction sites in Tokyo violated the Labour Standards Act, which included construction of the Olympic venues. In Japan, many workplaces including construction sites need measures to advance decent work. Trade unions also have challenges given the difficulties in forming unions in the construction industry; the subcontracting structure poses further challenges. More efforts are required to overcome these issues. In advancing decent work in supply chains, we must also take into account its cost-effectiveness. Through my dialogues with companies, I learn that while those in charge of CSR will do their best, conflicts may occur with the company's purchasing department. Again, a set of credible data that proves 'CSR is pro-business' would contribute towards further advancement of CSR activities by companies.

The role I would expect of the ILO is to provide technical assistance based on the MNE Declaration. Social dialogue rarely takes place at the far end of the supply chains, particularly in developing countries. We request further opportunities for tripartite dialogues, and support for awareness-raising on the fundamental labour rights amongst SMEs. There are countries in Asia such as Bangladesh that have ratified the core labour standards but its implementation remains a challenge, while countries such as Thailand and Malaysia have not ratified even Convention No. 87 (Freedom of association and the right to organise) – this means that even the relatively advanced countries have yet to ratify the most important ILO core convention. There are challenges inherent within the trade union movement; however, this is a matter that both the ILO and the government should make increased efforts. It is up to the tripartite constituents - government, workers and employers - to decide how to make the best use of the ILO Centenary Declaration. Although the Declaration itself is abstract and lists priority issues, it is a big homework for the government, workers and employers. I hope that we can address a few priority issues and make progress.



Hirotaka Komatsu

Director for Coordination, Urban Infrastructure Division,
Bureau of Urban Development, Tokyo Metropolitan
Government

In relation to the Tokyo 2020 Games, I will talk about our Smooth Biz initiative that contributes to decent work, which is the theme of today's forum. During the Games, more than 10 million people are expected to visit Tokyo and railway congestion is expected. Thus, it is very important for the success of the Tokyo 2020 Games to achieve both smooth transportation while maintaining economic activities. The Tokyo Metropolitan Government has three initiatives, one is the introduction of telework that promotes workstyle reform, the second is the *Jisa Biz* that promotes off-peak commuting to disperse railway congestion during rush hours, and the third is Traffic Demand Management (TDM) which controls the movement of people and goods. They are promoted collectively as Smooth Biz since January this year. The goal is not only to decrease traffic congestion during the Games, but also to leave a legacy of the Games as workstyle reforms and diverse workstyles permeate into the society, ultimately leading to improvement in corporate productivity.

As for the traffic congestion during the Games, it is expected that non-toll roads and railways will be very crowded, especially in the city centre and the bay area where the competition venues are located. Without any countermeasures, our daily life and business activities will be affected. For example, delays in the delivery of machinery parts, failure to deliver goods to supermarkets and convenience stores, and the delay to get to work due to congested railways. We have set goals for avoiding congestion on roads and railways and believe that it is necessary for individuals and companies to participate and cooperate in the Smooth Biz initiatives through telework, *Jisa Biz* and adjustment in logistics.

Now, I will explain about the details of each initiative. First, the telework - flexible working style that is not restricted by time and place using ICT - plays an important role in decreasing traffic congestion during the Games. Furthermore, telework is a strong driver in creating a society where all people, including parents with small children, the elderly and the disabled persons, can actively work and live. Since telework help to address labour shortages and improve productivity, employees and companies can both benefit. According to a survey conducted last year in Tokyo, 25.1% of companies with more than 30 employees have introduced telework. The Tokyo Metropolitan Government has set a goal to

raise this to 35% by the Games, and we hope that the Games will encourage flexible workstyles through telework. As an effort to achieve the target, we provide concrete measures such as consultation and assistance services for companies that are planning or considering the introduction of telework. We also collaborate with the national government in raising awareness amongst those companies who have no plans of introducing telework by setting up institutions such as the Tokyo Telework Promotion Centre.

The second initiative is *Jisa Biz*. Alleviating commuter train congestion is also an important factor for improving social productivity. Since two years ago, we have been working with the railway users as well as the railway operators to promote *Jisa Biz*, which calls on people to shift the commuting time to reduce congestion and to promote workstyle reforms. In addition, we are also enhancing the infrastructure, such as construction of a new train line, to change the movement of people. The railway operators have started to provide incentives for those who shift their commuting time and are running additional train services. We have also requested companies to promote diverse workstyles with *Jisa Biz* and telework.

The third initiative is Traffic Demand Management (TDM). With the expected traffic congestion during the Games, we ask companies to see congestion as a risk and to prepare and implement Business Continuity Plans (BCP) to maintain corporate activities. To support companies in developing their action plans, we provide information through one-to-one briefing sessions and via the website. Consultation services are also available free of charge.

By combining these three initiatives as Smooth Biz, we are requesting companies to consider plans to control and adjust movement of people and goods. They are expected to go hand in hand with the workstyle reform and improvement in corporate productivity. This summer, we have pilot-tested the regulations from 22 July to 6 September as a Smooth Biz promotion period, that included regulating inflow of cars on the Metropolitan Expressway. A certain degree of congestion was alleviated on roads and railways, but we encourage more companies and individuals to take action toward the Games. In autumn this year, we will introduce the Smooth Biz Promotion Award to recognise good company efforts. We will carefully examine the result of the pilot initiatives, and will further drive the movement toward the Games.



Yukiko Arai

Senior Specialist, Multinational Enterprises and Enterprises Engagement Unit, Enterprises Department, ILO Geneva

Allow me to begin by expressing my sincere appreciation towards the presence of the high-level representatives of the Japanese tripartite constituency as well as the Tokyo Metropolitan Government as the host city of the Tokyo 2020 Games in today's forum and as speakers in this session. I also take this opportunity

to thank the Ministry of Labour, Health and Welfare, Keidanren (the employers' organisation) and Rengo (workers' organisation) for their continuous guidance and support towards the implementation of the Japan-funded projects already referred to by Mr. Akiyama and Mr. Matsui as well as the activities under the partnership with Tokyo 2020.

The ILO sets international labour standards and monitors their application through a supervisory mechanism, while at the same time provides technical assistance at the country-level for their effective application. Similarly, for the promotion and application of the principles of the ILO MNE

Declaration, the ILO engages with companies for effective application of the principles at the workplace and supports governments in enhancing their labour inspection to compliance with national law. The ILO does not simply introduce the principles of the MNE Declaration. The reason why we develop various tools for promoting and operationalising the principles is because the “approach” becomes very important.

The ILO MNE Declaration takes both the ‘prevention’ and ‘improvement’ approaches to enhance the respect for workers’ rights by multinational enterprises. Most important elements in the ‘prevention’ approach are to promote mature industrial relations and social dialogue, ensuring that companies conduct due diligence, and that the government plays its role as governments and enforces national laws. There is often a lack of governance in particular in developing countries where Japanese companies operate and source from, and the ILO promotes decent work in partnership with the government, workers and employers. The project in Viet Nam is a good example.

The way in which business operates largely influences the quantity and quality of jobs that are generated in their supply chains. In the [project implemented in Viet Nam](#), a strong partnership was first established with the government, workers and employers in Viet Nam (which constitutes an overseas market for Japanese companies), and at the same time, dialogue was promoted at various levels - within the company, within the industry, also bringing together the public and private sectors – with the aim of building win-win relationship amongst the actors at each level of the supply chain. In the Vietnamese electronics industry where many Japanese companies operate, a ‘home-host country policy dialogue’ was organised in May 2018. This is a dialogue between the home and host countries of investment and trade, connected through global supply chains. Activities for promoting CSR amongst Japanese companies should not be limited to discussing recommended companies practices in Japan. Given the impact that operations of Japanese MNEs have on employment and labour issues overseas, it would be vitally important to bring together actors from both the home and host countries of FDI in policy dialogues. The ILO will continue to support such activities.

The revised ILO MNE Declaration of 2017 includes new operational tools that promote the ‘improvement’ approach, for example the company-union dialogue. Where a company and a union voluntarily agree to take advantage of using the facilities of the ILO to meet and talk, without prejudice, the ILO provides a neutral ground for discussion of issues of mutual concern. Strict confidentiality is maintained throughout the dialogue process. Several company-union dialogues have been organised to date in relation to European MNEs’ operation in Asia, and all have been completed with successful outcomes.

During the past five years, we have engaged with Japanese companies on CSR in Japan as well as in countries where they operate. In relation to our partnership with Tokyo 2020, we are currently developing tools to promote further understanding and implementation of international labour standards and sustainable procurement. A handbook is being prepared in collaboration with CSO Network Japan. Valuable advice and feedback received from experts in Japan including the tripartite constituents will be reflected in finalising this handbook, which is expected to be published soon. Although the primary intended users of this handbook are the Games’ suppliers, sponsors, and licensees, we are confident that it could also be a resourceful material for any business even if it is not part of the Games’ procurement. While companies increasingly conduct due diligence nowadays, many may not know the steps to be taken or the know-how for conducting human rights and labour due diligence. Thus, this handbook will delve into the ‘how to.’ The first part will unpack the international labour standards as well as the principles of the ILO MNE Declaration. The second part will deal with the importance of communication in sustainable supply chain management and dialogue with suppliers for establishing win-win relationships, as well as the roles of management and how to assess risks. Instead providing a checklist of what to do, the handbook offers a set of tools for practical

implementation. I conclude by informing that a collection of company practices are also being developed in collaboration with Tokyo 2020.



Video message



Mikako Kotani

Olympian and 1988 Seoul Olympic Games Bronze Medallist in Synchronised Swimming, Executive Board Member of the Japanese Olympic Committee (JOC), and Member of the Executive Committee of the World Olympians Association (WOA)

I came to know about 'sustainability' and 'decent work' through my acquaintance with Ms. Arai of the ILO during the activities to bid for the Olympic and Paralympic Games Tokyo 2020. Speaking with her made me re-realise that the sportswear used by athletes as well as the sports goods used in competitions are manufactured not only in Japan but also in overseas factories including in developing countries. I was also reminded of the fact that this in turn means that many workers involved in producing the sporting goods for us the athletes. With that in mind, I found it extremely exciting that Tokyo 2020 decided to team up with the ILO in making the Tokyo 2020 Games an event that respects the rights of everyone involved. And I wish to convey two messages towards the realisation of decent work through the Tokyo 2020 Games.

First, let us look at the reality. While Tokyo 2020 Games will use goods made in factories around the world, there are still more than 15 million working children who are unable to go to school. And more than 40 million people are in working in conditions regarded as 'modern slavery'. It is important that we, the athletes and Olympians, come to understand about these realities. Of course, athletes focused on their competitions might have limited opportunities to come across such information. However, as

Olympians and athletes seek to contribute to the society at international and global scales, it is important for us to have broader perspectives of the world including a good understanding on decent work issues. I would like to work on this with my friends and colleagues of the Japanese Olympic Committee and the World Olympians Association.

Second, sports have the power to change the world. “Friendship, Respect and Excellence” – based on this Olympic spirit, we the athletes should aspire for the happiness and well-being of all children and to uphold strong belief that no child labour is allowed in this world. I sincerely hope that the Tokyo 2020 Games will make a giant step forward in realising decent work for a better future for all.

Closing

Hibino : Tokyo 2020 will further strengthen the cooperation with the ILO towards the Tokyo 2020 Games. Many people are involved in the supply chains of goods and services. As the Games’ Organising Committee, we will further promote the Sourcing Code and its Grievance Mechanism in order to realise decent work for all those people. We will also make efforts to spread these initiatives so that they expand and continue even after the Games.



Photos by Tokyo 2020, ILO Office for Japan