
Committee on the Application of Standards

Statement by Ms Corinne Vargha, representative of the Secretary-General

I. Preliminary remarks

As the representative of the Secretary-General for your Committee, at this stage of our work I now have to supplement the information contained in the reports of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), and to draw your attention to recent developments that are relevant to your discussions.¹ But first, I wish to welcome the presence of the person who was the Chairperson of the Committee of Experts at its last session in November 2018, Judge Abdul Korma, who will address you for the last time as the outgoing Chairperson of the Committee of Experts, as he has completed his two terms of office. On this occasion, I wish not only to welcome him, but also to express all our gratitude, and that of the Secretary-General, for the exemplary manner in which he carried out his important – and sometimes burdensome – duties during the six years that he chaired the Committee of Experts. I also wish to welcome Judge Dixon Caton, who will address you at the end of the general discussion.

My intervention will cover two main points: (i) the constitutional mandate and work of your Committee; and (ii) the ILO's Standards Policy in 2019, the year of its Centenary.

¹ Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part A), ILC, 108th Session, Geneva, 2019; General Survey concerning the Social Protection Floors Recommendation, 2012 (No. 202), Report III (Part B), ILC, 108th Session, Geneva, 2019.

II. Constitutional mandate and work of the Conference Committee

Your Committee is a standing committee of the International Labour Conference. It has met every year since 1926 and its mandate, which lies at the heart of the ILO's action,² consists of examining and bringing to the attention of the plenary of the Conference:

- (i) the measures taken by Members to give effect to the provisions of Conventions to which they are parties; and
- (ii) the information and reports concerning Conventions and Recommendations communicated by Members in accordance with article 19 of the Constitution.

Under the terms of this article, every year your Committee examines a General Survey on the law and practice of member States in a specific area.

The outgoing Chairperson of the Committee of Experts, Judge Korma, will introduce your discussion a little later by presenting the reports of the CEACR.

Now, a few words about the work of your Committee. Document D.1 contains all the information required for the proper conduct of your work. It also reports on the many improvements made to the methods of work of your Committee since 2006.³

Once again this year, informal tripartite consultations were held on the working methods of the Committee on the Application of Standards and a number of decisions were taken which have a direct impact on the work of your Committee.

Accordingly, Governments on the long list of individual cases are now able to submit, on a purely voluntary basis, written information to the Committee on recent developments

² Article 23, paragraph 1, of the Constitution of the ILO, and article 7 of the Standing Orders of the Conference.

³ Document D.1 has been available for consultation on the website of the Committee since 10 May 2019.

not examined by the Committee of Experts. Fifteen Governments have taken advantage of this opportunity and have provided information, which is available on the web page of your Committee.

Furthermore, as from the present session, the discussions of your Committee will be reproduced *in extensor* in verbatim transcripts. The Chairperson will provide you with fuller information on this subject. May I nevertheless also draw your attention to another decision concerning the report that will be adopted by your Committee? The first part of the report of the Committee will contain the verbatim minutes of the whole of the General Discussion, the outcome of the discussions on the General Survey, and the conclusions adopted following the examination of “automatic” and “individual” cases. In the same way as last year, the first part of the report will be produced in the form of a consolidated document translated into the three working languages for adoption by the Conference in Plenary on the last Friday of the Conference.

The second part of the report will consist of the trilingual verbatim minutes of the discussion of the General Survey, the discussion of the “automatic” cases and the discussion of “individual” cases. These verbatim minutes will be made available as they are adopted, but only online on the web page of your Committee. The second part of the report will be submitted to the plenary sitting of the Conference for adoption only in electronic format.

The full report translated into the three languages will be made available online 30 days after its adoption by the International Labour Conference.

Moreover, it was decided at previous informal tripartite consultations to allocate more time for the discussion of the General Survey to permit its examination in depth. This request has been taken into account. I would invite you to take full advantage of this opportunity to inform the Committee of problems and national practices relating to social protection floors in light of the examination undertaken by the CEACR in its General Survey.

Finally, I would remind you that all the documents of the Committee are placed online on the Committee's web page. The Committee's web page will be our means of sharing important documents, in accordance with the paperless policy adopted by the Office. The question of time management will be a subject of great care and will be addressed later by the Chairperson of the Committee. I invite you to read document D.1, which sets out the working methods of the Committee which facilitate its functioning.

III. The ILO's Standards Policy in 2019, its Centenary year: A full and dynamic forward-looking agenda

In the second part of my intervention, I wish to refer to the standards mandate of our Organization in its Centenary year. The fact that the ILO is the oldest agency in the United Nations system certainly bears witness to the enduring values that it defends, but also means that it bears within it the traces of a world that no longer exists. And yet, the more urgent the need for rules of the game in social matters, the greater the expectations placed on the ILO and the more it would seem that its original mandate – to draw up standards, promote their ratification, and support and supervise their implementation through the provision of the necessary technical assistance – retains its full relevance. This is amply demonstrated by the pertinence of the Organization's standards-related work in its Centenary year.

The adoption of new standards – Following a first discussion last year, the Conference will examine this year in second discussion the adoption of new instruments intended to bring an end to violence and harassment against women and men in the world of work. These instruments should take the form of a Convention, supplemented by a Recommendation. These issues, as regularly demonstrated by current events, are sadly too widespread in the world of work. In this respect, may I recall what I said last year that all those attending the Conference are invited to consider their own actions, and those of their colleagues, and to speak up if problems arise. It is incumbent on all of us to ensure that the International Labour Conference offers an example in this respect from which everyone can find inspiration.

The Standards Review Mechanism – Even though new standards are being discussed, the Tripartite Working Group of the Standards Review Mechanism (SRM) is continuing its work commenced in 2015 in the context of one of the seven Centenary Initiatives. It would appear to be appropriate to recall that the Standards Initiative is intended to reinforce the standards work of the ILO in its second century based on a body of standards that is robust, clear and up to date, and a system of supervising the application of these standards that is authoritative and based on strengthened tripartite consensus.

The work of the Tripartite Working Group of the SRM is progressing constructively. At its fourth session in September 2018, the Working Group completed its in-depth examination of all the instruments on occupational safety and health, as well as those on labour statistics and labour inspection. Next September, the Tripartite Working Group will continue its in-depth examination of the instruments on employment policy and employment promotion. Of the 235 international labour standards covered by the initial programme of work of the SRM Tripartite Working Group, 75 instruments will then remain to be examined.

Finally, with a view to ensuring the follow-up of the recommendations of the Tripartite Working Group, the Office will continue to take measures to support the development of tripartite national plans of action on international labour standards.

In March 2019, welcoming the progress achieved, the Governing Body called on the Organization and its tripartite constituents to take appropriate measures to give effect to all of the recommendations made by the SRM Tripartite Working Group.

The second component of the Standards Initiative relates to the strengthening of the ILO supervisory system. Discussions are continuing on this issue. At its last session, the Governing Body examined several issues related to improvements that could be made to the supervisory system, including the lengthening of the reporting cycle for technical Conventions from five to six years and strengthening the thematic planning of requests for reports. The outgoing Chairperson of the CEACR, Judge Korma, will cover these points.

The various supervisory bodies have continued to discuss their working methods and to introduce innovations wherever necessary.

With reference to Office technical assistance focused on the achievement of tangible progress in the implementation of standards at the national level, once again this year information on the measures taken by the Office to give effect to the recommendations of your Committee has been placed online on your Committee's web page and is updated regularly. It is my pleasure to announce that, in accordance with the conclusions and recommendations adopted last year by your Committee, a high-level mission recently visited Algeria and three direct contacts missions visited Bahrain, Honduras and Myanmar. Several other countries have also requested and received technical assistance from the Office. I would like to emphasize that the reports provided by Governments that have received such assistance often show the extent to which the discussions and conclusions of your Committee can facilitate targeted and really effective support by the Office.

In the case of serious failings by member States to comply with their reporting obligations, following the discussions in your Committee in 2018, the Office sent out some 60 letters to the States concerned and proposed technical assistance specifically adapted to their needs. Several of these member States have since fulfilled their reporting obligations, at least in part. Document D.2 contains more information on this subject and will be discussed on Wednesday.

Finally, with the Turin Training Centre, the Office is continuing to provide tailored training on international labour standards at the national, subregional and regional levels. The International Labour Standards Academy has been held for the third time this year as our flagship training programme for the sharing of knowledge and tools on international labour standards with tripartite constituents, judges, lawyers, law professors and media professionals.

I now turn to one final standards-related matter, the Centenary Ratification Campaign “One for All”. I am sure that you are well aware that, within the context of the ILO’s Centenary, the Office launched a major ratification campaign at the beginning of January entitled “One for All”.

“One for All” may be understood in different ways:

- an invitation to all 187 member States of the ILO to ratify at least one international labour Convention in the course of 2019;
- a commitment to apply a set of standards governing one aspect of decent work to all men and women;
- one political commitment supporting sustainable development for all.

Within the context of this campaign, the ratification of an ILO instrument is both a political and a legal act that supports cooperation between countries in pursuit of social justice, which must remain one of the pillars of the multilateral system.

Since the campaign was launched, 22 new ratifications have already been registered and the Conference should provide the momentum for this number to rise rapidly over the next few days. Finally, it absolutely must be emphasized that, with the recent ratification by Eritrea, only two further ratifications are needed to achieve the universal ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182). Universal ratification of Convention No. 182 would be a historical landmark in action to combat the evil of child labour.

Of the new ratifications, eight concern the Maritime Labour Convention, 2006 (MLC, 2006), which is therefore continuing to be ratified at a good rate. It should also be noted that the 2016 amendments to the MLC, 2006, entered into force in January 2019. They contain innovative provisions on the prevention of harassment and intimidation of seafarers on board ship. This is the second set of amendments to the Convention that has entered into force,

following those of 2014 on financial guarantees in the event of abandonment, death or long-term incapacity. There are good grounds for hoping that the MLC, 2006, will pass the milestone of 100 ratifications during the course of the centenary year. In parallel, the Work in Fishing Convention, 2007 (No. 188), is the subject of increased interest and its implementation will significantly improve the often difficult conditions of life and work on board fishing vessels.

Finally, the “50 for Freedom” campaign is progressing towards its objective of achieving 50 ratifications of the Protocol to the Forced Labour Convention by the end of the year, as 32 ratifications have currently been registered.

I am sure you will agree, Chairperson, Ladies and Gentlemen, that this overview of the Organization’s Standards Policy shows that, although it is 100 years old, the Organization remains dynamic and that its standards action retains its pertinence at all levels: the formulation of new standards, the examination of the existing body of standards, supervision, technical assistance in support for implementation and ratification.

IV. Final observations

Coming back to your Committee, and on a more philosophical note, allow me to recall the reflections of one of the greats of antiquity. Some 2,300 years ago, Aristotle, the famous Greek philosopher, said that a just society is based on dialogue and “a balance between extremes”. The spirit of tripartism inherent in your Committee, founded on frank discussion, dialogue, compromise and consensus, would undoubtedly have been wholeheartedly encouraged by Aristotle in his wisdom.

And rest assured that the Office is determined to support and consolidate the constructive participation of all the tripartite constituents in your work. The International Labour Standards Department is determined to continue the tradition of public service devoted to excellence and is placing its expertise at the service of your Committee to help

you play your vital role within the ILO's constitutional framework. I wish to take this opportunity to pay tribute to the commitment and professionalism of all my colleagues in the Department, and particularly to Karen Curtis, Chief of the Freedom of Association Branch, and Horacio Guido, Chief of the Application of Standards Branch, who once again this year will accompany me in guiding the secretariat of your Committee.

Allow me to conclude by recalling the parchment placed at the beginning of the 20th century under the first stone of the former ILO building in Geneva, which reads "If you desire peace, cultivate justice". Humanity in 1919 was faced with the historic responsibility of ensuring peace based on social justice, and I am sure you will agree with me that the women and men of today bear an equally important responsibility.

To inspire us in our work, I invite you, Chairperson, to view a short film commemorating your Committee on the occasion of the Organization's Centenary.

Once again this year, I look forward to working with you all, Chairperson, Vice-Chairpersons, Reporter, and all the members of the Committee.