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Fifteenth sitting, 12 June 2023, 11.45 a.m. (cont.)**Quinzième séance, 12 juin 2023, 11 h 45 (suite)****Decimoquinta sesión, 12 de junio de 2023, 11.45 horas (cont.)**

Chairperson: Mr Leemans

Président: M. Leemans

Presidente: Sr. Leemans

Discussion of individual cases (cont.)**Discussion des cas individuels (suite)****Discusión de los casos individuales (cont.)****Armenia (ratification: 1994)**

Employment Policy Convention, 1964 (No. 122)

Convention (nº 122) sur la politique de l'emploi, 1964

Convenio sobre la política del empleo, 1964 (núm. 122)

Chairperson – I would like to open the discussion on the case of Armenia, which is a discussion on the application of the Employment Policy Convention, 1964 (No. 122). I would

like to invite the Government representative of Armenia, who will address the Committee remotely.

Government representative (Mr SARGSYAN) – I would like to start with expressing sincere gratitude to the International Labour Organization for the continuous collaboration and comprehensive support for the reforms, which the Government initiates to improve labour environment in the country. Let me also thank the Committee for its contribution to develop more fair and equal labour relations in Armenia.

This year marks the 31st anniversary of our membership in the ILO. During these years, the ILO has been a trusted partner of Armenia in enhancing social justice, development of social dialogue, ensuring occupational safety and health, promoting gender equality in the world of work and many other areas.

The Government pays special importance to the ILO membership and has implemented fundamental reforms in protection and promotion of labour rights, sustainable employment and decent work. A number of measures, including legislative reforms, have been implemented in this direction in the course of the past years. Today, state policy is being adjusted and improved even further to bring it in full compliance with our international obligations and commitments to address the evolving challenges.

This is the reason the Government was very much concerned to be short-listed with regards to unconformity with the Convention.

Armenia ratified the Convention in 1994 and assumed important international obligations to ensure the employment of its population. Following its international obligations and domestic priorities, in 2013 Armenia adopted the law "On Employment", which established a new model of employment, directed towards implementation of active programmes to ensure stable employment of the unemployed, including those uncompetitive in the labour market.

Peaceful and democratic Velvet Revolution of 2018 in Armenia has set a new vision, priorities, and action for the development of the country, including in modernization of labour environment.

Some of them, in particular, relate to the progress made with regard to the Convention.

Currently, active work is being done on the development of the draft Employment Strategy, which is considered as the main direct result of the second priority direction of the "Decent Work Country Programme" (DWCP). The main objective of the Strategy is to promote employment through creation of a competitive and employable workforce and the expansion of highly productive work opportunities. It is intended to comprehensively contribute to the strengthening of the school to work connection in the coming years.

Based on the in-depth analysis of the labour market of Armenia, first of all, the Strategy addresses and targets working-age citizens of the communities, including regional cities of Armenia, non-studying, non-working, non-training (NEET) youth aged 18–29, middle-aged (30–40) non-working women without family and social benefits beneficiaries, whom the State employment policy will mainly be directed in the coming years. In addition to those groups, the Strategy envisages addressing the needs of all other groups, for instance, providing active ageing policy.

One of the strategic goals envisaged by the draft Strategy is the transformation of the state policy system in the field of employment, aimed at the development of human capital (labour market supply), the growth of high-productivity jobs (labour market demand), and the reduction of discrepancies between labour supply and demand. In the draft Strategy, such regulation topics as: labour rights, ensuring inclusion and equal opportunities have found their place. Within the framework of the development of the strategic document, the possibilities of introducing the unemployment insurance system are also being studied, which is seen by the

Government as one of the key mechanisms to tackle unemployment and protect those who are unemployed.

While developing the draft Strategy between 25 November and 6 December 2022, six focus group discussions were held among employers in respective sectors of economy to reveal the changing trends of the employment structure, labour productivity, and labour demand in Armenia, as well as to identify the problems of the target groups to be involved in the labour force, as well as the ways of their possible solution. The recommendations made as a result of the discussions found their place in the draft Strategy.

Currently, the draft Strategy is in the stage of discussion and coordination with the relevant government bodies. A meeting-discussion with the representatives of the Confederation of Trade Unions of Armenia (CTUA) and various employers' associations is also planned to make the Strategy more multifaceted. In this regard, last Friday we held a meeting with representatives of employers.

ILO representatives actively participated in the strategic sessions to discuss the analytical part, vision, goals and programmes of the Employment Strategy. They also carried out an in-depth review of the related materials and provided detailed comments, which have been very useful in revising the document.

Let me emphasize that the development of the Strategy is only one of the multiple pillars, which Armenia is accomplishing in the framework of the DWCP for 2019–23. The Programme has significantly contributed to the development of the capacities of employees in the field of employment both at the Ministry of Labour and Social Affairs of Armenia and Unified Social Service. It allowed implementing large-scale capacity building initiatives. Additionally, consultancy and training materials were translated and distributed.

The Government is very much looking forward to the continuity of the Programme after 2023 to ensure further smooth and effective collaboration with the ILO in this area.

To continue with the issue of unemployment and to ensure the employment of the population in Armenia, in 2021 by the USS measures of vocational training, partial compensation to the employer for the salary paid to a person with disabilities, acquisition of work experience, seasonal employment, as well as support for animal husbandry activities were carried out. Measures were also implemented to support the organization of professional trainings for mothers who are uncompetitive in the labour market and do not have a profession, as well as organization of childcare for working persons alongside work.

Despite the fact that the Strategy is not adopted yet, many activities are being piloted. In particular in 2022, the number of persons included in the vocational training programmes was 487, out of which 377 were women and 58 were persons with disabilities. 353 unemployed persons were included in the work experience acquisition programme, where 322 were young persons, 301 were women, and 9 were persons with disabilities, 106 persons were included in the programme of vocational training for mothers without a profession, of which 34 were young people. In general, in 2021, around 3,958 persons were included in state employment programmes, including 2,600 women, 1185 young people, and 314 persons with disabilities.

In 2021–22, measures aimed at ensuring the employment of the unemployed citizens of Nagorno-Karabakh, who were displaced to Armenia as a result of the war unleashed by Azerbaijan on 27 September 2020, continued to be implemented. The Government implemented not only employment programmes, but social protection initiatives, in general.

Additionally, during 2022 the Government piloted employment programmes for about 1,800 persons, including 596 women, 345 young people, and 200 persons with disabilities. All the new programmes are being modelled on result-based approach.

In the development of pilots, in 2022, by the USS the following measures are planned to implement:

Firstly, organization of vocational training and provision of employment for unemployed persons who took part in the military activities undertaken as a result of aggression unleashed by Azerbaijan in 2016 and 2020. In this framework, as a result of gaining work experience or being included in vocational training programmes or providing lump sum support to the employer, in 2022 around 276 citizens participating in the military operations became employed, including 224 young people, 30 persons with disabilities. In 2023, the Government is planning to extend this programme to cover all demobilized military personnel.

Secondly, seasonal employment promotion measures, within the framework of which around 1,178 unemployed persons. In 2023, it is planned to include about 2,300 unemployed persons in the measure. A number of other programmes are in the process of planning and implementation.

The Committee of Experts noted the Government's indication that no control mechanisms are established under the national legislation to monitor the activities of private employment agencies.

In this regard, the legislation of Armenia does not define state control mechanisms for its activities of private employment agencies, but currently discussions are under way on the possibilities of cooperation between state private agencies. In particular, it is planned to take measures to ensure that private agencies become participants in the process of implementation of State employment programmes. In this context, the Ministry in cooperation with Democracy International, funded by the United States Agency for International Development (USAID), has already started designing a programme to initiate the above-mentioned measures. Additionally, there is a preliminary agreement with the United Nations

Development Programme (UNDP) Armenia to share costs in the implementation of employment programmes and run by private agencies.

In order to implement any initiatives in the field of employment and beyond, opinions of social partners were continuously taken into account while developing drafts. All drafts of legal acts developed in the field were submitted both to the CTUA and the Republican Union of Employers of Armenia (RUEA) for their opinion.

In addition, as the main strategic document of the sphere, the results of the above-mentioned focus group discussions with various employers were taken into account within the framework of the development of the employment draft strategy.

Let me briefly stop on some other initiatives, which aim to promote better employment environment in Armenia.

In particular, in 2022 the Government and the UNDP co-financed and piloted an innovation ecosystem-level support mechanism, Platform No. 5 to overcome compound challenges for women's economic empowerment with focus on employability and entrepreneurship. Following the success of the part of Platform No. 5 the Government has appealed to the ILO to join the ILO Women's Entrepreneurship Development Programme to continue together supporting women in entrepreneurship and employment.

In Armenia, since 2012, Career Development Support System reforms have been undertaken. On 2 June 2023, the career guidance national model of Armenia was presented at the Organisation for Economic Co-operation and Development (OECD) conference as a good practice.

In the meantime, the European Training Foundation (ETF) recommendation is that the Armenian State regulations are unique in the Eastern Partnership (EaP) countries.

The Government, giving high priorities to adoption and implementation of the ILO values and standards, has already initiated the ratification process of the Violence and Harassment Convention, 2019 (No. 190). Moreover, the current changes in Armenia's Labour Code have already included some of the provisions from Convention No. 190.

In conclusion, I would like to stress that despite the COVID-19 pandemic and aggression of Azerbaijan against the people of Nagorno-Karabakh and sovereign territory of Armenia, after the peaceful and democratic Velvet Revolution in Spring 2018, the Government is implementing massive reforms, undertaking all possible measures and efforts to address the needs of its citizens and provide better labour environment. To provide the sustainability and more effective cooperation with the ILO, we suggest opening an ILO Country Office in Armenia, extend the DWCP for Armenia, which ends in 2023, as well as support Armenia to join the ILO Women's Entrepreneurship Development Programme. Finally, the ILO support of the initiatives envisaged by the Employment Strategy of Armenia will create additional and comprehensive value in Armenia – ILO cooperation.

I am confident, that the above provides the Committee the necessary ground to remove Armenia from the short list, allowing and motivating all stakeholders to continue applying active reforms in the field of employment and labour rights. This will allow the ILO role as a reliable partner to foster democratic development not only in Armenia, but globally.

Miembros trabajadores - La Declaración de Filadelfia reconoce la obligación oficial de la OIT de apoyar la aplicación de programas que ejecutan los distintos países del mundo destinados a lograr el pleno empleo y la elevación del nivel de vida. El Preámbulo de la Constitución de la OIT prevé la lucha contra el desempleo y la garantía de un salario que asegure condiciones de vida decentes.

Así, incumbe a la OIT examinar y considerar los efectos de las políticas económica y financiera sobre la política del empleo, teniendo en cuenta el objetivo fundamental de que «todos los seres humanos, sin distinción de raza, credo o sexo tienen derecho a perseguir su bienestar material y su desarrollo espiritual en condiciones de libertad y dignidad, de seguridad económica y en igualdad de oportunidades». Este convenio es la norma internacional del trabajo que pone en práctica los objetivos establecidos en los textos fundacionales de nuestra Organización.

Hoy examinamos cómo aplica Armenia el Convenio. Según el artículo 1 del Convenio, Armenia debe formular y aplicar una política activa destinada a promover el pleno empleo, productivo y libremente elegido. Esta política garantizará que haya trabajo para todas las personas disponibles y que están en búsqueda de empleo, que dicho trabajo sea lo más productivo posible, que haya libre elección de empleo y que todo trabajador tenga plenas oportunidades de adquirir las cualificaciones necesarias para un empleo adecuado.

Según el informe de la Comisión de Expertos, más de 60 000 personas están desempleadas en Armenia, lo que representa una tasa de desempleo del 13 por ciento, la mayoría de las cuales son mujeres, que representan casi el 65 por ciento de los desempleados. Según las estadísticas de 2020 de que dispone el Departamento de Estadística de la OIT, la tasa de actividad en Armenia era del 66,5 por ciento. Estas pocas estadísticas demuestran los numerosos retos a los que se enfrenta Armenia para establecer una política nacional de empleo. Armenia también se enfrenta a las consecuencias para el empleo que derivan del contexto geopolítico en el que se encuentra. En concreto, parte de su territorio ha sido escenario de conflictos armados, lo que ha provocado el desplazamiento de personas a otras regiones, aunque allí no puedan encontrar empleo. El informe de la Comisión de Expertos menciona también la existencia de disparidades en estas estadísticas a nivel regional, lo que sugiere la necesidad de permitir que estas realidades regionales se tengan en cuenta en la

política de empleo. El informe de la Comisión de Expertos además pone de manifiesto que, a pesar de las reformas a gran escala llevadas a cabo en el ámbito del empleo en los últimos años, sigue habiendo cuestiones urgentes que abordar. A saber, el desfase entre la oferta y la demanda de mano de obra, las barreras existentes al empleo para los recién llegados al mercado laboral, los grupos en situación vulnerable y los trabajadores y trabajadoras cualificados.

En Armenia se están llevando a cabo numerosas iniciativas para trabajar en estos distintos ámbitos. Un ejemplo es el PTDP 2019-2023, que establece las prioridades del país y los resultados clave que se han desarrollado en estrecha consulta con los mandantes tripartitos. Estas prioridades incluyen el desarrollo de una nueva estrategia nacional de empleo, que aborda estas y otras cuestiones como el empleo juvenil, el empleo rural y la informalidad. El Gobierno hace del fomento del empleo y la educación una prioridad para la erradicación de la pobreza en el país. Es inconcebible una política de empleo que cumpla el Convenio sin prestar especial atención a los grupos vulnerables, entre los que desgraciadamente siguen, seguimos, figurando las mujeres. A este respecto, el Comité de las Naciones Unidas para la Eliminación de la Discriminación contra la Mujer (CEDAW) ha observado con preocupación el limitado acceso al empleo estable y adecuadamente remunerado de los grupos de mujeres desfavorecidas y marginadas, incluidas las pertenecientes a minorías étnicas, las desplazadas internas, las que se encuentran en situaciones similares a la de los refugiados, las migrantes y las mujeres con discapacidad. Las escasas cifras de participación de personas con discapacidad en los programas de regulación de empleo son motivo de preocupación. Lo mismo cabe decir de la participación de los jóvenes de entre 16 y 29 años. Por lo tanto, los grupos vulnerables del mercado laboral, en particular las mujeres, las personas con discapacidad y los jóvenes, necesitarán una atención especial en el desarrollo de la política de empleo en Armenia.

En muchos países, las agencias privadas de empleo son uno de los instrumentos utilizados en el marco de las políticas de empleo. Este es también el caso de Armenia. No obstante, es esencial que estas agencias de empleo privadas estén sujetas a mecanismos de control. En la información escrita facilitada por el Gobierno, se afirma que se están manteniendo conversaciones para fomentar la colaboración entre las agencias de empleo públicas y privadas. Aunque esta colaboración es deseable, no resuelve la cuestión de los mecanismos de control de las agencias de empleo privadas. La ratificación por Armenia del Convenio sobre la inspección del trabajo, 1947 (núm. 81) podría ser una oportunidad para abrir camino en este ámbito.

La lucha contra el trabajo no declarado debe ser también parte integrante de la política de empleo. El informe de la Comisión de Expertos indica que se han tomado medidas, incluidas medidas fiscales, para aumentar el número de trabajadores declarados. No podemos sino animar al Gobierno a proseguir sus esfuerzos en este sentido y a adoptar nuevas medidas.

Por último, permítanme recordar uno de los principios fundamentales que también figuran en el Convenio, a saber, el de la consulta con los interlocutores sociales sobre las políticas de empleo. No podemos sino alentar al Gobierno a que siga plenamente comprometido con la aplicación tripartita de una política de empleo que permita a los trabajadores y trabajadoras de Armenia proseguir su progreso material y su desarrollo espiritual en libertad y dignidad, con seguridad económica y en igualdad de oportunidades.

Miembros empleadores - Lamento profundamente que no haya sido posible para el delegado de los empleadores armenios participar y contribuir a esta discusión en persona, ya que sus credenciales para la Conferencia fueron retirados por el Gobierno. El delegado de los empleadores armenios ha presentado una objeción a esta medida ante la Comisión de Credenciales.

Con respecto al Convenio, agradecemos al Gobierno el envío de información actualizada sobre este caso. El Convenio fue ratificado por Armenia en 1994 y hoy es la primera vez que la Comisión debate la aplicación de este convenio. La Comisión de Expertos ha hecho observaciones sobre la aplicación de este convenio en tres ocasiones: 2015, 2018 y 2022.

Con respecto a las observaciones de 2022, la Comisión de Expertos identificó tres cuestiones principales relativas a este caso. La primera cuestión se refiere a las tendencias del empleo y la aplicación de una política activa del empleo de conformidad con el artículo 1 del Convenio. Tomamos nota de los esfuerzos de Armenia en el ámbito del empleo que ha puesto en marcha reformas como el PTDP para promover el empleo a través de la creación de una fuerza de trabajo competitiva y apta para el empleo, y la expansión de oportunidades de trabajo productivas. De acuerdo con la información suministrada, además, en 2022 el Gobierno desarrolló programas completos para facilitar la inclusión laboral de personas desempleadas que tomaron parte en las operaciones militares desencadenadas por Azerbaiyán en 2016 y 2020. También se adoptaron políticas en materia tributaria que han facilitado la formalización de las empresas y se espera, como consecuencia de ello, que también mejoren las indicaciones sobre empleo.

Desde hace varios años, observamos en Armenia una tendencia positiva en los indicadores de mercado laboral, tales como una reducción en la tasa de desempleo que en 2022 se redujo en 2,5 puntos porcentuales en comparación con 2021.

No obstante, y pese a todo, persisten cuestiones apremiantes que deben abordarse como la brecha entre la oferta y la demanda de trabajo y los obstáculos para hallar un empleo, tanto por parte de las personas que acceden por primera vez al mercado de trabajo, como los colectivos vulnerables, en particular las mujeres, los jóvenes y las personas con discapacidad.

Según informa el Gobierno, al día de hoy están inmersos en una nueva estrategia para el empleo que prevén discutir próximamente con los representantes de la confederación de sindicatos y de diversas asociaciones de empleadores. Los empleadores consideramos fundamental que el Gobierno ponga en marcha esta estrategia y cuantas medidas sean precisas cuanto antes para abordar los déficits del mercado laboral. Pero consideramos imprescindible que lo haga tras un proceso de diálogo social real y efectivo con los interlocutores sociales más representativos.

La segunda cuestión, se refiere a la adopción de medidas activas de mercado de trabajo de conformidad con el artículo 2 del Convenio. Tomamos nota de que, según la información facilitada por el Gobierno, la legislación nacional no define mecanismos de control estatales para las actividades de las agencias de empleo privadas, pero están teniendo lugar discusiones sobre las posibilidades de cooperación entre las agencias estatales y las privadas. Esta previsión del Gobierno de adoptar medidas para garantizar que las agencias privadas participen en el proceso de establecimiento de programas estatales de empleo podría contribuir positivamente a reforzar la inserción en el mercado de trabajo de las personas desempleadas. Asimismo, tomamos nota de que, con relación al trabajo no declarado, el Gobierno está tomando medidas encaminadas a reducir el número de trabajadores no declarados y a facilitar su integración en la economía formal. Sin embargo, debería aportar información sobre el impacto de esta medida para valorar su eficacia.

La tercera cuestión se refiere a la consulta a los interlocutores sociales, de conformidad con el artículo 3 del Convenio. Tomamos nota de que el Gobierno confirma someter las políticas y los programas de empleo a opinión de la CTUA y de la RUEA. Sin embargo, los empleadores nos alineamos con la Comisión de Expertos al solicitar información más concreta sobre estos procesos de consulta con los interlocutores sociales para mayor garantía. Más aún, teniendo en cuenta que el estudio publicado recientemente por la RUEA y la investigación

publicada por el Departamento de Trabajo de los Estados Unidos de América, indican que el diálogo social tripartito en Armenia es incipiente y tiene de hecho graves problemas relacionados con la legislación en materia de asociación, los contribuyentes y su representatividad.

Worker member, Armenia (Ms MANASERYAN) – The CTUA would like to share with you our approach on the implementation of the Convention.

On the way of implementation of the Convention, the Government developed a draft of the new employment strategy as the Vice-Prime Minister said, which was also consulted with the CTUA. The CTUA provided comments and suggestions, but still the discussions will continue in the upcoming Republican Tripartite Committee. This year the CTUA coordinates the Republican Tripartite Committee.

We should emphasise that Armenia has been at war for almost 30 years and since September 2020, active military actions were in Nagorno-Karabakh and Armenia was faced with active war for 44 days. Thousands of people from Nagorno Karabakh became refugees in Armenia, without living conditions and jobs. These people replenish the unemployment circle, which created new challenges for the Government and for social partners. A few programmes were developed for the above-mentioned refugees to make their lives less difficult.

Another big challenge faced by Armenia are the people who come from Russia to escape the mobilization. These people also have an influence on the labour market of Armenia. Of course, except those who work in the information technology (IT) sector, they have remote work, and have no influence on the labour market.

The Government does its best to improve the lives in the employment sector. There are gaps in the employment sector of Armenia regarding the lack of unemployment insurance and absence of unemployment benefits, though it is written and provided by the Constitution of

Armenia. Anyway, the Government has some employment programmes where the people can be retrained and start their own business with the support of these programmes.

The employment strategy includes also women's rights and people with disabilities, youth, especially in the rural areas, where finding jobs is also very difficult. However, I should emphasize that we have good cooperation with the ILO Bureau for Workers' Activities (ACTRAV) on the DWCP. The CTUA now also sees an opportunity to improve the situation on the implementation of the Convention, also with the technical support of the ILO, concerning social partnership and implementation of the strategy which will be adopted after a few discussions. We are going to discuss it again and again in the social partnership framework and in the Republican Tripartite Committee.

Worker member, Germany (Ms KÜHL) – The current situation in Armenia is marked by many different kinds of crisis. In September 2020, the armed conflict in Nagorno-Karabakh flared up again. This led to many internally displaced persons. The situation puts a great strain on the Armenian labour market and this has been exacerbated by a recent increase in migration from Russia. We therefore welcome all the efforts made by the Armenian Government, in terms of labour legislations, protection of vulnerable groups, formalization of employment relationships and last, but not least, the creation of a National Employment Strategy.

For any country in the world, any one of these reforms would represent a major effort. Armenia is not only tackling all of these reforms simultaneously but also within the framework of social dialogue. We commend this approach and we are pleased to see greater trade union representation in the process. At the beginning of May, the Armenian Labour Code was fundamentally overhauled. A total of 122 out of 296 articles were amended. There are improvements in the specific provisions on the employment of the minors, on maternity leave

and leave periods. For instance, workers can now carry over unused leave from one year to the following year. Access to training programmes has also been made easier. As well as that the legislation includes a section on the prohibition of sexual violence in the workplace, and it paves the way for ratification of Convention No. 190. Indeed, we have just seen that ratified in my country and we very much hope that the necessary ratification will be endorsed this week. We have also noted that ratification of Convention No. 181 might be possible and we might be able to consider some kind of partnership. When it comes to the National Employment Strategy, so far, we have some very promising signs, including proposals for unemployment insurance and better inclusion of disadvantaged groups. In view of the disproportionately higher unemployment level of women, the announced focus on gender equality seems to us to be imperative. These changes also took place with the advice of the ILO within the framework of the DWCP. We support the Government's initiative to extend this Programme further. All of these reforms are very promising but we need more to be done. We have questions, for instance, about the effectiveness of labour law reform, given the continuing large informal sector in Armenia. Another question is sustainability of employment, is that actually guaranteed?

Working with the Committee of Experts we recommend further efforts to formalize employment relationships in particular. The integration of informal works into the labour market is an indispensable step forward towards a consolidation of an Armenian Welfare State. The CTUA has a new Chairperson and she is campaigning for an increase in the minimum wage and an extension of the right to strike. Tripartite structures and processes must be strengthened. We must bridge the gap between agreements on paper and actual implementation. Collective agreements with representative unions like the CTUA are still needed. We very much hope that the Government, will in future, recognize the importance of these agreements.

Observer, International Organisation of Employers (IOE) (Mr MAKARYAN) – I would like to introduce the observations of the RUEA regarding the Convention.

First of all, I would like to give thanks for this opportunity to participate in the Committee's session and to voice our concerns regarding the current stage of social partnership and of the Convention in Armenia. I would like to thank the IOE for enabling me to speak at the meeting today. Our union delegate wanted to attend the Conference but then the Government withdrew the credentials, without valid justification and in violation of the ILO Constitution. Such actions prevented our union delegate taking part in the Conference. Of course, despite many positive changes in Armenia, still Armenia faces social and economic challenges, which remain unsolved and social partnerships are at a weak level. There is a significant gap between the level for supply and demand. There are obstructions for first time labour market entrants. To support the Government in its commitments with regard to overcoming those obstructions, and improve the employment policy, our union has submitted its research results, solutions for improvement, and recommendations to the Government since 2016.

Our union has not received a draft of the National Employment Strategy and no consultations were carried out with our union for the development of the document. Of course, we understand that there were some meetings with some of the employers in the framework of several focus groups, but our union was not informed of these meetings, we did not participate in them and did not receive any draft strategy. The Government also did not share observations of the report from the Committee of Experts and we received it only from the ILO. It was difficult to participate when the Government is not consulting our union and keeps withholding crucial information.

Regarding the cooperation with private employment agencies, which is also in the observation of the Committee of Experts. We would be happy to strengthen our cooperation

with the Minister of Labour and Social Affairs, in the scope of collaboration with private employment agencies and monitoring their activities and ratification of Convention No. 181.

The social partnership is at a weak level. The Ministry has carried out one meeting of the National Report Commission instead of eight initially planned. The Ministry has not undertaken concrete and significant measures for the organization of meetings and discussions, with mutual acquaintances between the partners in presenting social partners' viewpoints to the Government, etc.

We have expressed our concern to the Government about the low efficiency of the social partnership and our union has sent a letter to the Government, last August 2022, which has remained unanswered to date.

We have tried to improve the situation and had a meeting with the Minister of Labour and Social Affairs. However, that also did not take place. To date, as President, I have never met the Minister in the two years since he became Minister. Our union remains committed to work with the social partners and the ILO in overcoming the current challenges in the implementation of the Convention. However, this will be difficult if the Government continues the current practice of withholding crucial information from the employers and conducting consultations by bypassing employers' organizations and denying employers' rights to participate in the process. Including participation at this Conference.

In conclusion, I would like to mention that as an employer organization with high representation in the country, our union is eager to support the Government for the development of a National Employment strategy and implementation of the Convention totally. With this participation, we hope to help effective social partnership in Armenia. Without proper social dialogue, the progress on implementation of essential labour standards cannot be made, neither in Armenia, nor in any other country.

Observer, IndustriALL Global Union (Mr OZKAN) – I am making this statement on behalf of IndustriALL Global Union with the support of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF).

My organization has affiliated trade unions in mining, metallurgical energy and manufacturing sectors in Armenia and we closely follow developments in the country. Together with our affiliates, we welcome the Government's commitment to fulfil the requirements of international standards as well as the European Social Charter.

We have heard that on 3 May 2023, a law providing extensive amendments to the Labour Code of Armenia with specific target on social partnership was adopted. We also note that amendments to the law on trade unions as well as employers' associations are in the process of being finalized and we hope this will provide a solid foundation for the development of social dialogue at all levels.

We also observe that the Government implements the DWCP covering the period of 2019–23 and recently has applied for the prolongation of the programme.

We strongly encourage the ILO to continue with the existing technical assistance programmes and to support Armenia's application for continuous support under the DWCP. Our affiliates report that the Government has finalized the draft Employment Strategy that provides a credible vision towards the modernization of the employment environment in the country. This strategy addresses the issue of labour rights, envisaging the introduction of the unemployment insurance system. We hope all these initiatives will be implemented in the nearest future.

It is worth noting that the social dialogue between the Government and the CTUA has increased over the last past six months, which we consider as a positive step.

We do hope the employers will also get involved, in a unified way, in the work of the tripartite bodies of the country. It needs to be noted that because of this, neither a general agreement, nor sectoral agreements have been concluded in Armenia. This is critically important because of the world of work in Armenia, there are serious problems affecting workers. When workers intend to exercise their freedom of association, they face difficulties. When workers want to get the protection of a negotiated collective bargaining agreement, they are confronted with the resistance of employers. When workers want to use the right to strike or peaceful assembly, they are exposed to pressure. So, there are serious health, safety and particularly security problems inside the country which must be addressed seriously through general social dialogue and assistance from the ILO.

The country is also facing high levels of unemployment and extremely low social standards of living among refugees from either Nagorno-Karabakh, or neighbouring countries, particularly the Russian Federation.

We have difficulties understanding why Armenia has been shortlisted over the Convention, as there are many other serious problems in the world of work in the country which need to be addressed urgently.

We call on the Government to accelerate the legislative processes so that employers have the right to protect their interests in line with international standards. We call on employers to be constructive and return to social dialogue to find solutions for many social and labour matters including the coordination of the Employment Strategy, developed by the Government in consultation with the CTUA.

We also call on the ILO to continue to give support to the Government, workers, and employers in Armenia, to encourage social dialogue and to strengthen mechanisms to ensure workers fully exercise their fundamental rights at work.

Government representative (Mr SARGYAN) – I wish to thank all partners for sharing their observations. As I talked during my first intervention, the Government is undertaking massive and comprehensive reforms, including in the field of employment and labour relations. The goal is to address all the challenging issues and, inter alia, meet the obligation of the ILO Constitution and ratified Conventions. In the meantime, let me briefly respond to the main issues raised during this session. Firstly, the issue of proportionality between demand and supply on the labour market is a major issue which is the focus of the Government. The new strategy will address the issue to provide comprehensive and multifunctional solutions. Secondly, the Government further implements its active labour programme. The strategy envisages multiple strategies to provide for other developments in the whole labour market, but it particularly focuses on vulnerable groups including youth and so on. However, despite the facts, the strategy is not yet adopted. The Government has already adopted main employment programmes to include the rights and equal opportunities on the labour market.

For instance, in 2022, the Government and UNDP co-financed and piloted a recent ecosystem-level support programme. As a leader in technology and gender equality, Armenia embarked on an ambitious journey to develop a bold transformation action for women's economic power in high labour productivity sectors.

Following this success story, the Government asks the ILO to continue supporting the Government's efforts for women entrepreneurship.

Finally, let me quickly address the observation made by the Chairperson of the RUEA. We appreciate this readiness to develop cooperation with the Government. However, we were surprised to receive the letter especially in the Committee. Therefore, in anticipation of the above-mentioned letter of the RUEA regarding the suspension of cooperation, participation of the Employers' side in the session of the Conference was not confirmed.

All those measures are called to develop social justice in Armenia, which requires even more attention and support in times of global uncertainty and turbulence.

Concluding, let me reiterate the readiness and willingness of the Government to continue to deepen and develop cooperation with the ILO to promote social justice in Armenia and around the world. I am confident that the Committee will take into account all those measures, which the Committee of Experts recognized as positive and progressive.

Miembros empleadores - Los empleadores agradecemos a los distintos oradores que han tomado la palabra y, en particular, al Gobierno sus intervenciones y la información facilitada.

En nuestras observaciones finales quisiéramos subrayar, una vez más, que el Convenio prevé la declaración y aplicación de una política activa destinada a promover el pleno empleo productivo y libremente elegido. Esta política, debe tener por objeto asegurar que haya trabajo para todo el que busca empleo, trabajo productivo y libre elección del empleo, y mejorar el desajuste de competencias en el mercado de trabajo.

Hacemos un llamamiento al Gobierno para que tenga en cuenta que el empleo productivo y sostenible es la base del trabajo decente, de la creación de riqueza y de la justicia social. Si bien tomamos buena nota de los pasos adelante dados por el Gobierno, no podemos ignorar que es necesario un mayor esfuerzo a nivel nacional para lograr subsanar los déficits del mercado laboral en Armenia, donde persisten barreras para el ingreso al empleo, en particular, para grupos vulnerables y trabajadores cualificados. Además, los grupos de mujeres desfavorecidos y marginados, tienen acceso limitado al empleo y no son adecuadamente remuneradas, dado que aún persisten las brechas en materia de empleo en Armenia se requieren soluciones a largo plazo. Por ello, los empleadores hacemos un llamamiento para que los interlocutores sociales más representativos reciban información

clave y participen de forma activa en el diseño y en la puesta en marcha de las políticas de empleo de conformidad con el Convenio que exige la celebración de consultas con los interlocutores sociales.

En línea con las recomendaciones de la Comisión de Expertos, los empleadores desearíamos solicitar al Gobierno seguir trabajando en el desarrollo y en la posterior implementación de medidas de la estrategia para el empleo, y sobre todo que lo haga en el marco del diálogo social, con los interlocutores sociales más representativos, para garantizar que sean medidas eficaces y duraderas; también que continúen impulsando la reducción de la economía informal y faciliten información sobre el impacto de las medidas. Confiamos en que el Gobierno tenga en cuenta estas recomendaciones para la total aplicación del Convenio.

Miembros trabajadores - Queremos agradecer al representante del Gobierno la información facilitada a la Comisión.

Como hemos escuchado durante nuestro debate, la promoción del empleo se enfrenta a muchos retos en Armenia.

No nos cabe duda de que el Gobierno está dispuesto y es capaz de hacer frente a estos retos y de tomar todas las medidas necesarias para promover un empleo digno para toda la población trabajadora de Armenia.

Nos parece que, para cumplir este objetivo, el Gobierno tendrá que:

- seguir desarrollando, en consulta con los interlocutores sociales, una política de empleo que se centre también en los grupos vulnerables, incluidos los jóvenes, las mujeres y las personas con discapacidad;

- continuar proporcionando información actualizada y detallada sobre la naturaleza, el alcance y el impacto de las medidas adoptadas para promover el pleno empleo productivo, incluidas las adoptadas en el marco del PTDP 2019-2023;
- comunicar información actualizada y detallada sobre los progresos realizados con respecto a la elaboración y adopción de la Estrategia Nacional de Empleo;
- transmitir una copia de la misma una vez sea adoptada;
- continuar comunicando información actualizada y detallada, incluidos datos estadísticos desglosados por sexo y edad, sobre las tendencias del empleo en el país, en particular sobre el empleo, el desempleo y el subempleo;
- continuar comunicando información actualizada y detallada, incluidos datos estadísticos desglosados por sexo, edad y región, sobre la naturaleza, el alcance y el impacto de las medidas y programas llevados a cabo para promover el empleo de los grupos vulnerables a los déficits de trabajo decente, en particular: las mujeres, los jóvenes, las personas con discapacidad y las personas vulnerables a la discriminación interseccional;
- comunicar información sobre la naturaleza, el alcance y el impacto de las medidas adoptadas en el ámbito de la educación y formación profesional en relación con la mejora de la empleabilidad de los jóvenes;
- proporcionar información detallada sobre toda medida adoptada o prevista, en consulta con los interlocutores sociales, a fin de regular las actividades de las agencias de empleo privadas que despliegan su actividad en el territorio armenio;
- establecer mecanismos de control de las agencias de empleo privadas y contemplar la posibilidad de ratificar el Convenio núm. 181, por tratarse del instrumento más actualizado en este ámbito;

- continuar proporcionando información actualizada y desglosada sobre el impacto de las medidas adoptadas para reducir el número de los trabajadores y las trabajadoras no declarados y facilitar su integración en la economía formal, y
- en último lugar, proporcionar ejemplos concretos de la manera en que las opiniones de los interlocutores sociales se tienen en cuenta en la elaboración, la aplicación y el examen de las políticas y programas de empleo.

Para poner en práctica todas estas recomendaciones, pedimos al Gobierno que recurra a la asistencia técnica de la OIT.

Chairperson – We have now concluded our discussion of this case and the conclusions will be adopted on Thursday, 15 June in the morning.

And now I have an important announcement to make by, on behalf of, the Chair of the Conference. The President of the Conference has just opened in Plenary the electronic votes regarding the following items: Convention and Recommendation on Occupational Safety and Health – two questions; the abrogation of withdrawal of obsolete maritime instruments – 24 questions; and a resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution, on the subject of Belarus – one question.

So you are asked to cast 27 votes, and the vote is being taken electronically through an internet-based platform and the vote has been declared open now because all delegations entitled to vote should have received now an email linked to the email address provided in the credentials. The email contains the link, so you must simply click on the link in the email to be directed to the voting platform and the vote will take less than five minutes overall. Persons entitled to vote can do so using their own device – so your laptop, your telephone, your other devices, or onto the voting stations, and this is important, there is a voting station in front of Room XX in the Palais des Nations, but also in front of our room here. So the Secretariat will

also be present to assist you if necessary during the voting procedure. Each item will be the object of a separate voting question, so you will see a list of 27 voting questions. Once the selection between "yes" or "no" or abstention has been made for each amendment, delegates will be asked to confirm their ballot, and will have a last opportunity to review eventually their votes. The votes will be definitely cast upon clicking on "submit ballot". From that moment on, the vote has been cast. The vote will be closed around 6 p.m. today, and the results will be announced by the President to the Plenary towards the end of the afternoon sitting, and I strongly encourage you all to exercise your right to allow the Conference to take all these important decisions, and the technical instructions for delegates on the e-voting are available on the Conference webpage, those persons will be outside to assist you during the procedure, so thank you for responding to this request. Now we have ended our activities for this morning, we will start again this afternoon with the discussion of the Case of Sint Maarten at 3 p.m. So 3 p.m. the discussion of the Case of Sint Maarten, followed by the Case of Cameroon, so we will break now for lunch. Thank you very much and see you this afternoon.

The sitting closed at 12.45 p.m.

La séance est levée à 12 h 45.

Se levantó la sesión a las 12.45 horas.