

Statement of the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations, Judge Abdul G. Koroma

Thank you Chairperson.

Let me begin by congratulating you on your appointment to the important function of Chairperson of the Conference Committee on the Application of Standards. I also wish to convey my congratulations to Ms Sonia Regenbogen and Mr Marc Leemans for their appointment, respectively, as the Employer Vice-Chairperson and the Worker Vice-Chairperson. I had the pleasure to meet both Ms Regenbogen and Mr Leemans in my capacity as Chairperson of the Committee of Experts on the Application of Conventions and Recommendations on the occasion of the special sitting held by the Committee of Experts at its last session.

Chairperson,

On behalf of the Committee of Experts, I wish to express our appreciation to the Committee on the Application of Standards for having renewed the invitation made to all the Chairpersons of the Committee of Experts since 1993. I feel privileged to participate as an observer in the general discussion of your Committee. However, this year I profoundly regret to have to inform the Committee that I am unable to follow the entire general discussion and the discussion on the General Survey due to unforeseen conflicting commitments which, despite my best efforts, could not be conciliated. Even though I will not be able to follow the current session in person, I commit to fully inform the Committee of Experts at its next meeting on the outcome of your discussions based on your report and the debriefing of the representative of the Secretary-General.

I would also like to announce at the outset certain changes in the composition of the Committee of Experts. Following the retirement of Judge Lyon Caen, the Governing Body decided to appoint one new expert in March 2017. It is Judge Alain Lacabarats, former Chairperson of the French Court of Cassation and an eminent jurist. More recently, Professor Mario Ackerman, decided to leave the Committee of Experts for personal reasons. A process is under way for the appointment of his replacement on the Committee so that the latter can function with its full membership at its next session in November 2017. I would like to take this opportunity to thank both Judge Lyon Caen and Professor Ackerman for their invaluable and longstanding contribution to the work of the Committee.

Now back to the main subject of my intervention. The special sitting of the Committee of Experts with the two Vice-Chairpersons of the Conference Committee is – together with the participation of the Chairperson of the Committee of Experts in the work of your Committee – the institutional means whereby representatives of the two Committees exchange views on matters of common interest. As the representative of the Secretary-General indicated, this constitutes an example of good practice which might be further enhanced in the future and we are looking forward to maintain it and further enhance it by enlarging the dialogue among supervisory bodies even further.

I am pleased to note that at the last special sitting during which the Committee of Experts received the two Vice-Chairpersons of your Committee, a very interactive and thorough exchange of views took place on matters of common interest. A detailed account of the discussion can be found in the general part of the Committee of Experts' Report. I will confine myself to highlighting only two points.

First, the Committee of Experts drew attention to the systematic way in which it is monitoring the follow-up to the conclusions of the Conference Committee in order to illustrate the importance given to the work of your Committee and to ensuring that the two regular supervisory bodies reinforce and complement each other.

Second, the Committee noted that its workload remained a major area of concern despite the significant changes introduced in order to ensure great efficiency in the way it worked. The Committee of Experts expressed the hope that measures would be taken to remedy this situation and called for the support of the Employer and Worker Vice-Chairpersons in the framework of the Standards Initiative where this question is being discussed.

The special sitting also offered an opportunity to provide additional clarifications with regard to the working methods of both Committees in particular in so much as they have implications on their respective work. The discussion included, for example, particular reference to the distinction between observations and direct requests; the treatment of observations received from workers' and employers' organizations – the increase of which greatly assists the experts in making their assessment; and the identification by the Committee of Experts of cases of progress and those in which governments are required to provide full particulars to the Conference (so-called "double footnotes"). The Committee is planning to discuss in the future its working methods in relation to the naming of corporations and the length of comments, especially with regard to technical Conventions, as a result of the views shared on these questions by the Employer and Worker Vice-Chairpersons during the special sitting.

The active participation of employers' and workers' organizations in the work of the Committee of Experts, for example, by making observations on the application of Conventions and Recommendations, is an important attribute of the supervisory mechanism and an indicator of its vivacity. This year, the number of observations reached new heights, with **1,160** observations received compared to 1,019 last year. Of these, **314** were communicated by employers' organizations (compared to 305 last year) and **846** by workers' organizations (compared to 714 last year).

In relation to the timely submission of reports, the Committee of Experts reiterated its long-standing concern at the low proportion of reports received by 1 September each year and highlighted once again the fact that this situation disturbs the sound operation of the regular supervisory procedure. Furthermore, the Committee called on all governments to ensure that copies of reports on ratified Conventions are communicated to the representative employers' and workers' organizations in order to safeguard this important aspect of the supervisory mechanism.

As regards possible ways of giving more visibility to the Committee's findings by country, the Committee has drawn attention to the available electronic means, in particular the NORMLEX database, and the important practical guidance given to member States through technical assistance. Noting that this has always been one of the key dimensions of the ILO supervisory system, the Committee reiterated once again this year its hope that a comprehensive technical assistance programme will be developed in the near future, and that it will be adequately resourced to help all constituents improve the application of international labour standards in both law and practice.

I will not indulge further into a detailed presentation of the content of the Committee of Experts' report. This report provides your Committee with an analysis of the extent to which member States have fulfilled their obligations under the ILO Constitution in relation to standards and the extent to which their legislation and practice are in conformity with ratified Conventions. I would like to draw your Committee's attention in particular to the cases in which, in view of the seriousness of the issues addressed, the Committee of Experts has requested governments to provide full particulars to the Conference (known as "double-footnoted" cases). As always, serious consideration was given by the Committee as a whole in identifying these cases, which are contained in paragraph 48 of its General Report.

Let me finish this statement with the General Survey which concerns, as the representative of the Secretary-General mentioned, the important area of occupational safety and health. This year's General Survey permitted the Committee to focus on the examination of three sectoral occupational safety and health Conventions, concerning construction, mining and agriculture, and their accompanying Recommendations, in the broader context of the promotional framework Convention. This is the first time any of these instruments have been the subject of a General Survey.

As requested by the Governing Body when it selected the subject of the General Survey, the Committee built upon its conclusions from the 2009 General Survey concerning the Occupational Safety and Health Convention, 1981 (No. 155), and its accompanying Protocol and Recommendation, as well as the discussion of that Survey by your Committee. This request offered the Committee an opportunity to examine the complementarity of the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as the key occupational safety and health Conventions.

Global recognition has continued to grow that occupational safety and health is an important component of sustainable development. The Committee of Experts aimed to situate its examination within the broader framework of the 2030 Development Agenda, which turns a spotlight on occupational safety and health. The Sustainable Development Goal 8 calls for inclusive and sustainable growth and decent work for all and its Target 8.8 directs universal efforts towards the protection of labour rights and the promotion of safe and secure working environments for all workers. In this respect, the Committee of Experts emphasized that ILO instruments will be a key tool for countries wishing to make progress over the next 15 years towards the achievement of this SDG target.

One of the indicators for monitoring progress towards achieving this Goal considers the frequency rates of occupational injuries, which provides a measure of the extent to which workers are protected from work-related hazards and risks. The Committee highlighted that collection, evaluation and dissemination of statistical data will be indispensable for both measuring and achieving progress, and encouraged all governments, in cooperation with workers' and employers' organizations, to pursue their efforts to strengthen the production and dissemination of statistics on occupational safety and health.

In considering possibilities for building on common commitments and involving all stakeholders in dialogue to achieve the full potential of the instruments, the Committee noted an almost universal recognition of the importance of "Working together to promote a safe and healthy working environment".

Nonetheless, much more needs to be done and major challenges remain. The last 15 years, little measurable progress has been made to address the fact that an estimated 2.3 million workers die every year from occupational accidents and work-related diseases, in addition to the many millions of workers who suffer non-fatal injuries and illnesses. Moreover, a number of reports highlighted the huge economic costs of inadequate

occupational safety and health at both the national and enterprise level, and the negative impact of poor occupational safety and health conditions on productivity.

The Committee emphasized the importance of prevention, a foundational principle of the instruments under examination, which provide a framework for member States to address the challenges of safety and health in the workplace and to achieve progressive improvement in this respect.

Social dialogue is at the heart of the eight instruments examined in this General Survey and a central prerequisite for successful action at both the national and enterprise levels. While the instruments could provide the blueprint, full tripartite commitment is required for this progressive improvement to be achieved.

Many governments reported on policy support and assistance that has been received. The numerous needs identified for future development cooperation bear witness to the desire of constituents to facilitate the improvement of occupational safety and health concretely. The Committee took note of the Office's recent reinforcement of cooperation in that regard, and trusts that the Office will be able to provide the technical and advisory assistance requested, to support constituents in their pursuit of achieving safe and secure working environments for all.

Chairperson, distinguished members of the Committee on the Application of Standards, allow me to assure you that my Committee is firmly engaged in the path of meaningful dialogue with your Committee and all the other ILO supervisory bodies, in the interest of an authoritative and credible ILO supervisory system and ultimately for the cause of international labour standards and social justice worldwide. With these thoughts in mind, I wish you a fruitful discussion again this year.