
Committee on the Application of Standards

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

I. Introductory 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) by drawing your attention to recent developments that are relevant to your discussions.¹ But before doing so, I would like to welcome the presence here today of the Chairperson of the Committee of Experts, Judge Abdul Koroma, who will be addressing you shortly, and I would like to welcome him on behalf of the Secretary-General of the Conference.

My intervention will cover four points: (i) the constitutional mandate and work of your Committee; (ii) the commemoration of important standards-related anniversaries this year; (iii) the progress achieved in the context of the Standards Initiative; and (iv) the Office's implementation strategy with a view to the provision of technical assistance to the member States of the Organization for the achievement of tangible progress at the national level so as to establish what we call "a virtuous circle" between the normative activities of the organization on the one hand, and cooperation for development on the other. I will also draw your attention to the links between the work of your Committee and that of other committees at the present session of the International Labour Conference.

¹ Report of the Committee of Experts on the Application of Conventions and Recommendations Report III (Part A) International Labour Conference, 107th Session, 2018; General Survey of the reports concerning the Hours of Work (Industry) Convention, 1919 (No. 1); Hours of Work; Weekly Rest (Industry) Convention, 1921 (No. 14); Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); Forty-Hour Week Convention, 1935 (No. 47); Night Work (Women) Convention (Revised), 1948 (No. 89); Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948; Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106); Holidays with Pay Convention (Revised), 1970 (No. 132); Night Work Convention, 1990 (No. 171); Part-Time Work Convention, 1994 (No. 175); Night Work of Women (Agriculture) Recommendation, 1921 (No. 13); Holidays with Pay Recommendation, 1954 (No. 98); Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103); Reduction of Hours of Work Recommendation, 1962 (No. 116); Night Work Recommendation, 1990 (No. 178); Part-Time Work Recommendation, 1994 (No. 182); Report III (Part B), International Labour Conference, 107th Session, Geneva, 2018.

II. Mandate and work of the Conference Committee

In contrast with most other committees, as you know, 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; the measures taken by Members to give effect to the provisions of Conventions to which they are parties; and the information and reports concerning Conventions and Recommendations communicated by Members in accordance with article 19 of the Constitution.

The Chairperson of the CEACR, Judge Koroma, will introduce your discussion 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 your work. It also indicates the many improvements made to the working methods of your Committee following the informal tripartite consultations held on this subject since 2006.³

Following the latest informal tripartite consultations held in November 2017 and March 2018, it has been agreed that the procedure for the adoption of conclusions on the cases that are examined will be modified slightly. It is now envisaged that the conclusions will be visible on screen in the language used by the Chairperson while they are being read out and that at the same time a hard copy of the conclusions will be provided to the Government representative concerned in one of the three working languages – English, French or Spanish – as requested by the Government. The Government representative may take the floor, if she or he so wishes, once the Chairperson has announced the adoption of the conclusions.

Once again this year, in the same way as last year, the draft minutes of the meetings will be published in a trilingual “patchwork” version (English, French and Spanish). Each intervention will be reflected only in the working language in which it was made or in the language selected by the speaker when requesting the floor. The final report of the Committee, and particularly Part II on the examination of individual cases, will be submitted to the Committee for adoption in plenary session in the same trilingual “patchwork” version, and the three fully translated versions of the report will be placed online ten days after the end of the Conference.

In addition, all the Committee's documents, including the draft minutes of the sittings, will be put online on the Committee's web page. The web page of your Committee will be the main means of sharing documents, in accordance with the paperless policy implemented by the Office. Amendments to the minutes for each sitting may be submitted either in writing or by email. The issue of time limits will be addressed later by the Officers of the Committee. I invite you to read document D.1 carefully to be informed of the working methods of the Committee so as to facilitate its functioning.

During the latest informal tripartite consultations, it was decided to allocate more time for the discussion of the General Survey to permit its examination in depth. I would invite you to take full advantage of this occasion to inform the Committee of problems and national practices relating to working time in light of the examination made by the CEACR in its

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

³ It has been possible to consult document D.1 on the Committee's website since 11 May 2018.

General Survey. This General Survey and the outcome of your discussions will inform the subsequent examination by the Tripartite Working Group of the Standards Review Mechanism. The Chairperson of the CEACR, Judge Koroma, will present the General Survey to you in detail during his intervention.

III. Commemoration

This year we are celebrating the 70th anniversary of the Universal Declaration of Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention (No. 87), which were both adopted in 1948.

We are also commemorating the adoption of the Discrimination (Employment and Occupation) Convention (No. 111) 60 years ago in 1958 and of the Labour Relations (Public Service) Convention (No. 151) 40 years ago in 1978. And finally, we are commemorating the 20th anniversary of the adoption of the ILO Declaration on Fundamental Principles and Rights at Work, which was adopted in 1998.

It seems to me to be important to emphasize the interdependence and relevance of all these instruments.

The fact that the 2030 Sustainable Development Agenda (Agenda 2030), adopted by the United Nations, devotes many of its targets and indicators to equality, diversity and inclusion, as well as to the rule of law and good governance, demonstrates the importance of equality and freedom of association for the future of work and for sustainable development. These two indissociable principles find their roots and their universal recognition in an emblematic document, the Universal Declaration of Human Rights.

The recognition set out in the Universal Declaration of Human Rights that all human beings have fundamental rights and freedoms retains all its relevance and remains essential today. This universal message was taken up in the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, in order to emphasize, among other matters, the indissociable nature of the four fundamental principles and rights at work.

Nevertheless, despite the time that has elapsed since the adoption of these two Declarations, violations of human rights, including of freedom of association and non-discrimination, are far from being eradicated throughout the world.

Convention No. 87 is part of the DNA of this Organization. Without Convention No. 87, it would be impossible to speak of tripartism and social dialogue. And it is often said that, without freedom of association, there can be no equality. I am sure that you will agree with me that social dialogue and collective bargaining make a decisive contribution to promoting equality and protecting against discrimination. So far, Convention No. 87 has received 154 ratifications – which will soon become 155 with the instrument of ratification of Convention No. 87 by Iraq which is due to be deposited during the Conference. Even so, Convention No. 87 is still the least widely ratified of all of the ILO's fundamental Conventions. The recurrent report on social dialogue, which will be discussed during the present session of the Conference, and last year's recurrent report on fundamental principles and rights at work, both emphasize the need to further promote the ratification and implementation of the fundamental Conventions, particularly in the field of freedom of association, especially as the ILO's Centenary draws near.

I now turn to the issue of equality. Convention No. 111 was adopted in 1958, in the middle of the period of decolonization and the historic civic movements. Today, following the adoption of the 1998 Declaration and the subsequent ratification campaign, the Convention has been ratified by 175 member States. But despite this, and the major progress

achieved over the 60 years since the adoption of Convention No. 111, the eradication of discrimination is far from being a reality and discrimination of all types persists on grounds of race, colour, sex, religion, political opinion, national extraction and social origin. This worrying situation lies behind one of the commitments of Agenda 2030 not to leave anyone behind.

The ratification and implementation of Convention No. 111 is the contribution of the ILO and its member States to the achievement of this commitment of Agenda 2030.

With particular reference to women at work, you heard the presentation this morning by the Director-General of the ILO of his Report to the Conference this year on this important subject. According to his Report, “[t]he undeniable reality is that the disadvantages that women continue to face at work, notwithstanding the real progress that has been recorded, including through the ILO, constitute perhaps the most flagrant and the greatest offence to social justice.” It there seems appropriate that the International Labour Conference is examining this year in first discussion the adoption of a new instrument on violence and harassment at work which, as emphasized recently by the media, is unfortunately a very widespread reality in the world of work.

When examining new standards for the world of work, it is also clear that we have to consider our own conduct.

The Director-General has called on all the members of our ILO community, and not only those who work in the Office, but also the members of the Governing Body, experts, delegates and participants in ILO meetings and conferences, to be aware of and to prevent any manifestation of harassment or violence.

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 upon all of us to ensure that the International Labour Conference offers an example in this respect from which everyone can find inspiration.

IV. The Standards Initiative

I now come to the third part of my opening statement, in which I will briefly go over the progress achieved within the context of the Centenary Standards Initiative. The Standards Initiative has two components, which are both under the responsibility of the ILO Governing Body.

The first component concerns the Standards Review Mechanism and its Tripartite Working Group, the object of which is to contribute to ensuring that the ILO’s body of standards is up to date and responds to the changing patterns of the world of work. In this regard, the work is progressing constructively. At its third meeting in September 2017, the Tripartite Working Group undertook its first substantive examination of 19 instruments on occupational safety and health (general provisions and specific risks). During this examination, the Tripartite Working Group benefited from the outcome of your discussion of last year’s General Survey on occupational safety and health.

The findings of the Tripartite Working Group included: the need to promote the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);

the fact that the Prevention of Industrial Accidents Recommendation, 1929 (No. 31),⁴ is outdated and should be withdrawn; that ten instruments require further action to maintain their continued and future relevance; and it finally identified two gaps in terms of protection relating respectively to questions of ergonomics at work and biological hazards.

With a view to following up the recommendations of the Tripartite Working Group, the Office has taken measures to support the development of national tripartite plans of action on international labour standards.

The second component of the Standards Initiative relates to the strengthening of the ILO supervisory system. Both bipartite and tripartite discussions are also progressing in this respect. At its next session, the Governing Body will examine several improvements to the supervisory system, including the extension of the reporting cycles for technical Conventions from five to six years and reinforcing the planning of requests for reports by subject. The Chairperson of the CEACR, Judge Koroma, will come back to this.

V. ILO strategy for the provision of technical assistance to facilitate tangible progress at the national level and create “a virtuous cycle”

I would like to begin by sharing some good news concerning new ratifications: the Protocol of 2014 to the Forced Labour Convention, 1930, has already received 23 ratifications as part of the “50 for freedom” campaign. Furthermore, over the past two years, there have been 11 new ratifications of the eight fundamental Conventions. Following Uzbekistan’s ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Europe and Central Asia became the first ILO region to be fully covered by the eight fundamental Conventions.

Furthermore, thanks to the Office’s implementation of two action and promotion plans, over the past two years there have been 14 ratifications of the Maritime Labour Convention, 2006, and 14 ratifications of instruments on occupational safety and health. The full results of ILO action over the last two years, including in the area of international labour standards, are outlined in the Report of the Director-General on ILO programme implementation 2016–17, which is submitted to the current session of the Conference.

It should also be noted that the Third Meeting of the Special Tripartite Committee of the Maritime Labour Convention, 2006 (MLC, 2006), was held from 23 to 27 April 2018 and resulted in the adoption of amendments to the Maritime Labour Convention to ensure that seafarers held captive as a result of an act of piracy or armed robbery continue to receive their wages during their period of captivity. The results of the Special Tripartite Committee’s work will be submitted for adoption at the current session of the Conference.

As decided during informal tripartite consultations on the working methods of your Committee, information regarding the measures taken by the Office to give effect to your recommendations has been uploaded to the dedicated web page and will be updated regularly. I have the pleasure of announcing that, in line with the conclusions and recommendations adopted last year by your Committee, several missions have been carried out. The reports received from governments that have benefited from such assistance often

⁴ The Recommendation will be submitted to the Conference for withdrawal. It should be noted that six Conventions and three Recommendations are being submitted to the present session of the Conference for abrogation or withdrawal.

demonstrate the extent to which the discussions and conclusions of your Committee can facilitate the provision by the Office of targeted and truly effective assistance.

In cases of serious failure by member States to comply with their reporting obligations, the Office has offered technical assistance tailored to their needs. Several of these member States have fulfilled, at least in part, their reporting obligations. Document D.2 contains further information on this subject and will be discussed on Wednesday.

Finally, the Office is continuing to provide tailored training on international labour standards at the national, regional and international levels through the International Training Centre of the ILO in Turin. The annual International Labour Standards Academy was held for the second time this year and some of you participated in it. The Academy aims to share knowledge and tools on international labour standards with the tripartite constituents of the ILO, judges, lawyers, law professors and media professionals.

VI. Final observations

Allow me to conclude by assuring you that, in the same way as last year, the Office is once again determined to support and consolidate the constructive participation of the tripartite constituents in a reliable supervisory system which enjoys their trust and in which everyone is a stakeholder. The International Labour Standards Department is placing its full expertise at the service of your Committee to allow you to play your vital role within the ILO's constitutional framework. As the Director of the Department, I will be heading the secretariat of your Committee and I very much look forward to working with your Chairperson, the two Vice-Chairpersons, the Reporter and all the members of your Committee.

Thank you for your attention.