



## THIRD ITEM ON THE AGENDA

**ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up****Review of the forms for annual reports under the follow-up**

1. At its November 2001 session, the Committee on Legal Issues and International Labour Standards deferred a decision regarding three revised report forms proposed for use under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. Newly proposed forms, reflecting further informal consultations and additional reflection by the Office, are attached as Appendices I (Freedom of association and the effective recognition of the right to collective bargaining), II (Elimination of all forms of forced or compulsory labour) and III (Elimination of discrimination in respect of employment and occupation). They attempt to prompt countries to provide information in a manner consistent with the follow-up, i.e. both promotional and effective.
2. The proposed forms follow the format of the form regarding the effective abolition of child labour, which was approved by the Governing Body at its March 2001 session.<sup>1</sup> Experience with reports recently received in response to that report form have inspired some adjustments in the newly proposed forms for the other three categories, which aim at eliciting information on efforts made by member States that have not yet ratified all the fundamental ILO Conventions, as well as assisting them in identifying where technical cooperation could support further efforts to promote, respect and realize fundamental principles and rights at work.
3. As recommended by the ILO Declaration Expert-Advisers,<sup>2</sup> the proposed report forms ask more specific, structured questions but they still afford an opportunity for respondents to provide fuller explanations. Respondents often find this necessary in order to provide a true picture. The Expert-Advisers had also recommended that the forms be redesigned to incorporate a stronger gender dimension and to stimulate participation of employers' and workers' organizations in the follow-up process. The document submitted to the LILS

<sup>1</sup> GB.280/12/1, para. 23(a).

<sup>2</sup> GB.280/3/1.

Committee in November 2001 detailed these and other recommendations, which the Office has taken into account in preparing the current proposals.

4. Experience with the three original report forms that are still in use<sup>3</sup> has shown that countries having ratified one of the two fundamental Conventions relevant to the category of principle/right concerned have sometimes encountered difficulties in responding. Several countries that have not yet ratified the Equal Remuneration Convention, 1951 (No. 100), for example, have sought guidance from the Office on how to report on the equal remuneration aspect of the principle of the elimination of discrimination in employment and occupation when the current form does not pose specific questions about that aspect. For this reason, the proposed report form sets out these two main aspects separately. Similarly, the proposed report form for freedom of association and the effective recognition of the right to collective bargaining addresses those two aspects of the principle in separate questions, and attempts to take into account both the employer and worker perspectives on these issues.
5. With a view to identifying technical cooperation needs, the proposed revisions probe the types of difficulties countries may have encountered, and ask them to prioritize the kind of technical cooperation they believe would be most useful to facilitate the realization of the principle involved. Finally, taking into account earlier replies received, the revised report forms relating to the elimination of forced labour and discrimination ask about possible involvement of multilateral agencies other than the ILO, bilateral donors and/or non-governmental organizations. The purpose of this question is to avoid duplication of effort and/or to assist government in joining forces to tackle a problem. However, in terms of the reporting process and obligations under article 23 of the Constitution, only employers' and workers' organizations are mentioned.
6. *The Committee is therefore invited to approve the amended report forms appearing in Appendices I, II and III, for use in the Annual Review as from 2002.*

Geneva, 15 February 2002.

*Point for decision:* Paragraph 6.

<sup>3</sup> GB.274/2(Add. 1).

## Appendix I

### ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

#### *Amended report form*

### Freedom of association and the effective recognition of the right to collective bargaining

#### *Introduction*

The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, which was adopted by the International Labour Conference at its 86th Session on 18 June 1998, recalls that all Members, even if they have not ratified the Conventions regarded as fundamental, have an obligation arising from the very fact of their membership in the Organization to respect, to promote and to realize in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions.

In order to give the Organization and its Members the opportunity of regularly observing their efforts to promote those principles, the Declaration has a promotional follow-up, one component of which sets out to obtain, through annual reports requested under article 19, paragraph 5(e), of the Constitution, information from Members that have not ratified one or more of the fundamental Conventions, on any changes to their law and practice with regard to each of the categories of principles and rights set out in the Declaration.

This report form, which has been approved by the Governing Body of the International Labour Office for use by States that have not ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), or the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), forms part of this component of the follow-up to the Declaration and concerns the following:

#### **Freedom of association and the effective recognition of the right to collective bargaining**

To be completed with regard to the principles concerning the fundamental rights which are the subject of the Convention or Conventions<sup>1</sup> to which your State is not a party. *Please continue answers on a separate sheet, if necessary, indicating the number of the question.*

- 1.1. Is the principle of freedom of association recognized in your country? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 1.2. Is the principle of the effective recognition of right to collective bargaining recognized in your country? \_\_\_\_\_ Yes \_\_\_\_\_ No

*If you wish, attach additional information on a separate sheet, indicating Q. 1.*

- 2.1. Please indicate whether the following categories of persons can or cannot exercise freedom of association in your country:
- (a) All workers in the public service \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Certain categories of workers in the public service \_\_\_\_\_ Yes \_\_\_\_\_ No
- Please specify which \_\_\_\_\_
- (c) Medical professionals \_\_\_\_\_ Yes \_\_\_\_\_ No

<sup>1</sup> The texts of these Conventions may be consulted on the ILO Internet site (<http://www.ilo.org>), in the official compilation of international labour Conventions and Recommendations, or obtained by request from the ILO Distribution Service, 4, route des Morillons, CH-1211 Geneva 22.

- (d) Teachers \_\_\_ Yes \_\_\_ No
- (e) Agricultural workers \_\_\_ Yes \_\_\_ No
- (f) Workers engaged in domestic work \_\_\_ Yes \_\_\_ No
- (g) Workers in export processing zones (EPZs) or enterprises/industries with EPZ status \_\_\_ Yes \_\_\_ No
- (h) Migrant workers \_\_\_ Yes \_\_\_ No
- (i) Workers below a stated age \_\_\_ Yes \_\_\_ No  
 If so, what age: \_\_\_\_\_
- (j) Workers in the informal economy \_\_\_ Yes \_\_\_ No
- (k) Other specific categories of workers \_\_\_ Yes \_\_\_ No  
 Please specify which \_\_\_\_\_
- (l) Any category of employers \_\_\_ Yes \_\_\_ No  
 Please specify which \_\_\_\_\_
- 2.2. For any categories ticked “no” above, please state the reasons. Please continue on a separate sheet, indicating Q. 2.
- 3.1. Please indicate whether in your country the right to collective bargaining can or cannot be exercised with regard to the following categories of persons:
- (a) All workers in the public service \_\_\_ Yes \_\_\_ No
- (b) Certain categories of workers in the public service \_\_\_ Yes \_\_\_ No  
 Please specify which \_\_\_\_\_
- (c) Medical professionals \_\_\_ Yes \_\_\_ No
- (d) Teachers \_\_\_ Yes \_\_\_ No
- (e) Agricultural workers \_\_\_ Yes \_\_\_ No
- (f) Workers engaged in domestic work \_\_\_ Yes \_\_\_ No
- (g) Workers in export processing zones (EPZs) or enterprises/industries with EPZ status \_\_\_ Yes \_\_\_ No
- (h) Migrant workers \_\_\_ Yes \_\_\_ No
- (i) Workers below a stated age. \_\_\_ Yes \_\_\_ No  
 If so, what age: \_\_\_\_\_
- (j) Workers in the informal economy \_\_\_ Yes \_\_\_ No
- (k) Other specific categories of workers \_\_\_ Yes \_\_\_ No  
 Please specify which \_\_\_\_\_
- (l) Any category of employers \_\_\_ Yes \_\_\_ No  
 Please specify which \_\_\_\_\_
- 3.2. For any categories ticked “no” above, please state the reasons. Please continue on a separate sheet, indicating Q. 3.
- 4.1. In your country, can workers exercise freedom of association at the following levels?
- (a) Enterprise \_\_\_ Yes \_\_\_ No
- (b) Sector or industry \_\_\_ Yes \_\_\_ No
- (c) National \_\_\_ Yes \_\_\_ No
- (d) International \_\_\_ Yes \_\_\_ No
- 4.2. In your country, can employers exercise freedom of association at the following levels?

- (a) Enterprise \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Sector or industry \_\_\_\_\_ Yes \_\_\_\_\_ No
- (c) National \_\_\_\_\_ Yes \_\_\_\_\_ No
- (d) International \_\_\_\_\_ Yes \_\_\_\_\_ No
- 4.3. In your country, is the principle of the effective recognition of the right to collective bargaining recognized at the following levels?
- (a) Enterprise \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Sector or industry \_\_\_\_\_ Yes \_\_\_\_\_ No
- (c) National \_\_\_\_\_ Yes \_\_\_\_\_ No
- (d) International \_\_\_\_\_ Yes \_\_\_\_\_ No
- (e) Other. Please specify \_\_\_\_\_
- 5.1. Is government authorization or approval required in your country to:
- (a) Establish an employers' organization \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Establish a workers' organization \_\_\_\_\_ Yes \_\_\_\_\_ No
- (c) Conclude collective agreements \_\_\_\_\_ Yes \_\_\_\_\_ No
- 5.2. **If yes to any**, please specify under which circumstances. Please continue on a separate sheet, indicating Q. 5.
- 6.1. Have specific measures been implemented or are they envisaged to respect, promote and realize freedom of association and effective recognition of the right to collective bargaining in your country? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 6.2. **If yes**, please specify these measures by ticking the relevant boxes below.

Type of measure	Freedom of association		Collective bargaining	
	Envisaged	Implemented	Envisaged	Implemented
Legal reform (labour law and other relevant legislation)				
Inspection/monitoring mechanisms				
Penal sanctions				
Civil or administrative sanctions				
Special institutional machinery				
Capacity building of responsible government officials				
Training of other government officials				
Capacity building for employers' organizations				
Capacity building for workers' organizations				
Tripartite discussion of issues				
Awareness-raising/advocacy				
Other measures. Please specify				

- 7.1. In the measures described in question 6, is special attention given to the situation of women? \_\_\_\_\_ Yes \_\_\_\_\_ No

**If yes, please specify and describe.**

- 7.2. In the measures described in question 6, is special attention given to the situation of specific categories of persons? \_\_\_ Yes \_\_\_ No

**If yes, please specify and describe.**

- 7.3. In the measures described in question 6, is special attention given to the situation of specific industries or sectors? \_\_\_ Yes \_\_\_ No

**If yes, please specify and describe.**

8. In instances where the Government finds that the principle has not been respected, what does it do? Please describe action taken in recent instances.

9. Please describe any major changes concerning the principle that have taken place since your last report (for example, changes in the regulatory, policy or institutional frameworks, initiation of significant new programmes, new data).

<b>1. Major change (freedom of association)</b>	<b>Date of change</b>
<b>2. Major change (collective bargaining)</b>	<b>Date of change</b>

10. What have been the main difficulties encountered with respect to realizing the principle of freedom of association and effective recognition of the right to collective bargaining? (*Tick all that apply.*)

Nature of the difficulty	Freedom of association	Collective bargaining
Lack of public awareness and/or support		
Lack of information and data		
Social values, cultural traditions		
Social and economic circumstances		
Political situation		
Legal provisions		
Prevailing employment practices		
Lack of capacity of responsible government institutions		
Lack of capacity of employers' organizations		
Lack of capacity of workers' organizations		
Lack of social dialogue on this principle		
Other. Please specify		

- 11.1. Does your Government see a need for new and/or continued technical cooperation with the ILO to facilitate the realization of the principle of freedom of association and effective recognition of the right to collective bargaining? \_\_\_\_ Yes \_\_\_\_ No

- 11.2. **If yes**, please indicate your technical cooperation needs, **ranking them** as follows:

1 = most important; 2 = second most important; 3 = third most important; 0 = not important.

*Please attach further details for the **first three priority technical cooperation needs** that you identify in relation to freedom of association and effective recognition of the right to collective bargaining, indicating Q. 11.*

Type of technical cooperation desired	Ranking
Assessment in collaboration with the ILO of the difficulties identified and their implications for realizing the principle	
Awareness-raising, legal literacy and advocacy	
Strengthening data collection and capacity for statistical analysis	
Sharing of experiences across countries/regions	
Legal reform (labour law and other relevant legislation)	
Capacity building of responsible government institutions	
Training of other officials (police, judiciary, social workers, teachers)	
Strengthening capacity of employers' organizations	
Strengthening capacity of workers' organizations	
Strengthening tripartite social dialogue	
Other. Please specify	

12.1. Regarding the preparation of this report:

- (a) Was the most representative employers' organization consulted in its preparation?  Yes  No
- (b) Were the most representative workers' organizations consulted in its preparation?  Yes  No
- (c) Was there consultation with any government authorities outside the Ministry?  Yes  No

12.2. **If yes** to any of the above, please describe the consultation process(es). Please continue on a separate sheet, indicating Q. 12.

13. Regarding comments received on this report:

- (a) Did employers' organizations make any comments on the report?  Yes  No
- (b) Did workers' organizations make any comments on the report?  Yes  No

14. Which employers' organizations have been sent copies of the report? Please attach list.

15. Which workers' organizations have been sent copies of the report? Please attach list.

16. Please attach to your report any other new information relevant to the efforts made by your country to respect, promote and realize the principle of freedom of association and the effective recognition of the right to collective bargaining.

**Replies are due not later than 1 September – Please send to the InFocus Programme on Promoting the Declaration, ILO, 4 route des Morillons, CH-1211 Geneva 22, Switzerland; Email: [declaration@ilo.org](mailto:declaration@ilo.org). An electronic version of this form may be found at [www.ilo.org/declaration](http://www.ilo.org/declaration).**

**Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.**



## Appendix II

### ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

#### *Amended report form*

### Elimination of all forms of forced or compulsory labour

#### *Introduction*

The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, which was adopted by the International Labour Conference at its 86th Session on 18 June 1998, recalls that all Members, even if they have not ratified the Conventions regarded as fundamental, have an obligation arising from the very fact of their membership in the Organization to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions.

In order to give the Organization and its Members the opportunity of regularly observing their efforts to promote those principles, the Declaration has a promotional follow-up, one component of which sets out to obtain, through annual reports requested under article 19, paragraph 5(e), of the Constitution, information from Members that have not ratified one or more of the fundamental Conventions, on any changes to their law and practice with regard to each of the categories of principles and rights set out in the Declaration.

This report form, which has been approved by the Governing Body of the International Labour Office for use by States that have not ratified the Forced Labour Convention, 1930 (No. 29), or the Abolition of Forced Labour Convention, 1957 (No. 105), forms part of this component of the follow-up to the Declaration and concerns the following:

#### **The elimination of all forms of forced or compulsory labour**

To be completed with regard to the principles concerning the fundamental rights which are the subject of the Convention or Conventions<sup>1</sup> to which your State is not a party. *Please continue answers on a separate sheet, if necessary, indicating the number of the question.*

1. Is the principle of the elimination of all forms of forced or compulsory labour recognized in your country? \_\_\_ Yes \_\_\_ No
- 2.1. Do legislation and/or judicial decisions in your country define forced or compulsory labour in its various forms? \_\_\_ Yes \_\_\_ No
- 2.2. **If yes**, what is this definition?
- 3.1. Are all forms of forced or compulsory labour prohibited? \_\_\_ Yes \_\_\_ No
- 3.2. For any type that is **not** prohibited (for example, chattel slavery, bonded labour, trafficking of persons which involves forced labour, prison forced labour), please specify and state the reasons for this.
- 4.1. Are there any categories of persons or activities not covered by the application of this principle in your country? \_\_\_ Yes \_\_\_ No
- 4.2. **If yes**, please indicate which ones.

<sup>1</sup> The texts of these Conventions may be consulted on the ILO Internet site (<http://www.ilo.org>), in the official compilation of international labour Conventions and Recommendations, or obtained by request from the ILO Distribution Service, 4, route des Morillons, CH-1211 Geneva 22.

- 5.1. Is there a national policy for realizing the principle of the elimination of all forms of forced or compulsory labour?  Yes  No
- 5.2. If yes, please describe its objectives, scope, targets and implementing mechanisms. *Please attach relevant policy documents to your reply, indicating Q. 5.*
- 5.3. **If no**, (a) does the Government intend to adopt policy on this subject?  
 Yes, by \_\_\_\_\_ (date)  No  
 (b) would the Government like to receive ILO assistance in developing it?  Yes  No
6. In instances where the Government finds that the principle has not been respected, what does it do? Please describe action taken in recent instances (for example, penalties imposed for the use of forced labour).
7. Please describe the current factual situation in your country with respect to forced or compulsory labour, including an indication of which groups of the population are most vulnerable to this practice.
- 8.1. Have specific measures been implemented or envisaged in your country in relation to realizing the principle of the elimination of all forms of forced or compulsory labour?  
 Yes  No
- 8.2. Please specify these measures *by ticking the relevant boxes below.*

Type of measure	Implemented	Envisaged
Awareness raising/advocacy		
Legal reform		
Inspection/monitoring mechanisms		
Penal sanctions		
Civil or administrative sanctions		
Special institutional machinery		
Capacity building		
Employment creation/income generation		
Educational programmes		
Rehabilitation following removal from forced labour		
International cooperation programmes or projects		
Tripartite examination of issues		
Other measures. Please specify		

- 8.3. If any special measures undertaken in your country can be regarded as successful examples of the elimination of forced or compulsory labour, please describe them.
- 8.4. (a) In these measures, is special attention given to the situation of particular groups of people (for example, men, women, boys, girls)?  Yes  No  
 (b) Please specify the groups \_\_\_\_\_
- 8.5. Have employers' and/or workers' organizations been involved in the development and implementation of government measures?  
**If yes**, please describe. *Please attach relevant documents, indicating Q. 8.5.*
- 9.1. Is there any government authority responsible for the identification, emancipation and/or rehabilitation of persons subject to forced labour?  Yes  No

- 9.2. **If yes**, please provide the name(s) and a description of the responsibilities of the entity/entities concerned.
- 10.1. Does the Government work with multilateral agencies, with donors bilaterally and/or with non-governmental organizations at the multilateral level in relation to the elimination of forced or compulsory labour? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 10.2. **If yes**, please name these organizations and briefly describe this cooperation.
- 11.1. Does the Government collect statistics and other information relevant to the elimination of all forms of forced or compulsory labour? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 11.2. **If yes**, please identify the statistics and information, and name the institution(s) from which the ILO can obtain this information.
- 11.3. **If no**, does the Government plan to do so?
12. Please describe any major changes concerning the principle since your last report (for example, changes in the regulatory, policy or institutional frameworks, initiation of significant new programmes, new data, change in the number of people working under forced labour conditions).

1. Major change	Date of change

13. What have been the main difficulties encountered in your country with respect to realizing the principle of the elimination of all forms of forced or compulsory labour? *Please tick all that apply.*

Nature of the difficulty	Forced labour due to debt bondage	Forced labour due to trafficking	Other type. Please specify
Lack of public awareness and/or support			
Lack of information and data			
Social values, cultural traditions			
Social and economic circumstances			
Political situation			
Legal provisions			
Prevailing employment practices			
Lack of capacity of responsible government institutions			
Lack of capacity of employers' organizations			
Lack of capacity of workers' organizations			
Lack of social dialogue on this principle			
Other. Please specify			

- 14.1. Does your Government see a need for new and/or continued technical cooperation with the ILO to facilitate the realization of the principle of the elimination of forced or compulsory labour? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 14.2. **If yes**, please indicate your technical cooperation needs, **ranking them** as follows:  
1 = most important; 2 = second most important, 3 = third most important; 0 = not important.

Please attach further details for the **first three priority technical cooperation needs** that you identify in relation to the elimination of forced or compulsory labour, indicating Q. 14.

Type of technical cooperation desired	Ranking
Assessment in collaboration with the ILO of the difficulties identified and their implication for realizing the principle	
Awareness-raising, legal literacy and advocacy	
Strengthening data collection and capacity for statistical collection and analysis	
Sharing of experiences across countries/regions	
Policy advice	
Legal reform (labour law and other relevant legislation)	
Capacity building of responsible government institutions	
Training of other officials (e.g. police, judiciary, social workers, teachers)	
Strengthening capacity of employers' and workers' organizations	
Employment creation, skills training and income generation for vulnerable workers	
Development of social protection systems	
Rural development policies (for example, land reform, rural infrastructure, agricultural extension, marketing, microfinance)	
Cross-border cooperation mechanisms	
Coordination between institutions (e.g. various ministries and relevant commissions)	
Other. Please specify	

15.1. Regarding the preparation of this report:

- (a) Was the most representative employers' organization consulted in its preparation? \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Were the most representative workers' organizations consulted in its preparation? \_\_\_\_\_ Yes \_\_\_\_\_ No
- (c) Was there consultation with any governmental authorities outside the Ministry? \_\_\_\_\_ Yes \_\_\_\_\_ No

15.2. **If yes**, to any of the above, please describe the consultation process(es).

16. Regarding comments received on this report:

- (a) Did employers' organizations make any comments on the report? \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) Did workers' organizations make any comments on the report? \_\_\_\_\_ Yes \_\_\_\_\_ No

17. Which employers' organizations have been sent copies of the report? *Please attach a list, indicating Q. 17.*

18. Which workers' organizations have been sent copies of the report? *Please attach a list, indicating Q. 18.*

19. Please attach to your report any other new information relevant to the efforts made by your country to respect, promote and realize the principle of the elimination of forced or compulsory labour.

**Replies are due not later than 1 September – Please send to the InFocus Programme on Promoting the Declaration, ILO, 4 route des Morillons, CH-1211 Geneva 22, Switzerland; Email: [declaration@ilo.org](mailto:declaration@ilo.org). An electronic version of this form may be found at [www.ilo.org/declaration](http://www.ilo.org/declaration).**

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## Appendix III

### ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

#### *Amended report form*

### Elimination of discrimination in respect of employment and occupation

#### Introduction

The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, which was adopted by the International Labour Conference at its 86th Session on 18 June 1998, recalls that all Members, even if they have not ratified the Conventions regarded as fundamental, have an obligation arising from the very fact of their membership in the Organization to respect, to promote and to realize in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions.

In order to give the Organization and its Members the opportunity of regularly observing their efforts to promote those principles, the Declaration has a promotional follow-up, one component of which sets out to obtain, through annual reports requested under article 19, paragraph 5(e), of the Constitution, information from Members that have not ratified one or more of the fundamental Conventions, on any changes to their law and practice with regard to each of the categories of principles and rights set out in the Declaration.

This report form, which has been approved by the Governing Body of the International Labour Office for use by States that have not ratified the Equal Remuneration Convention, 1951 (No. 100), or the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), forms part of this component of the follow-up to the Declaration and concerns the following:

#### **The elimination of discrimination in respect of employment and occupation**

To be completed with regard to the principles concerning the fundamental rights which are the subject of the Convention or Conventions <sup>1</sup> to which your State is not a party. *Please continue answers on a separate sheet, if necessary, indicating the number of the question.*

1. Is the principle of the elimination of discrimination in respect of employment and occupation recognized in your country?  Yes  No
- 2.1. Do legislation and/or judicial decisions define discrimination?  Yes  No
- 2.2. **If yes**, how is it defined?
3. On which grounds is discrimination in respect of employment and occupation prohibited in your country?
  - (a) Race/colour  Yes  No
  - (b) Sex  Yes  No
  - (c) Religion  Yes  No
  - (d) Political opinion  Yes  No

<sup>1</sup> The texts of these Conventions may be consulted on the ILO Internet site (<http://www.ilo.org>), in the official compilation of international labour Conventions and Recommendations, or obtained by request from the ILO Distribution Service, 4, route des Morillons, CH-1211 Geneva 22.

- (e) National extraction  Yes  No
- (f) Social origin  Yes  No
- (g) Other grounds. Please specify \_\_\_\_\_
- 4.1. Is the aspect of the principle concerning equality of opportunity and treatment recognized in your country?  Yes  No
- 4.2. (a) Is the aspect of the principle concerning equal treatment in the field of remuneration recognized in your country?  Yes  No
- (b) **If yes**, please describe how “equal treatment in the field of remuneration” is defined.
- 5.1. Have specific measures been implemented or are they envisaged to respect, promote and realize the elimination of discrimination in employment and occupation?  Yes  No
- 5.2. **If yes**, do the measures implemented concerning the elimination of discrimination in employment and occupation cover the following categories of workers?

Category of workers	Elimination of discrimination		Equal treatment in the field of remuneration	
(a) Workers in the public service Please specify categories _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(b) Workers in establishments of a certain size Please specify the size _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(c) Workers in particular types of employment (for example, part-time, temporary) Please specify _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(d) Agricultural workers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(e) Workers engaged in domestic work	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(f) Workers in EPZs	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(g) Migrant workers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(h) Workers in the informal economy	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(i) Other. Please specify _____				

- 5.3. Are such measures envisaged?  Yes  No
- 6.1. Is there a national policy concerning the elimination of discrimination in employment and occupation?  Yes  No
- 6.2. **If yes**, please describe its objectives, scope, targets and implementing mechanisms. *Please attach relevant policy documents to your reply, indicating Q. 6*
- 6.3. **If no**, (a) does the Government intend to adopt any policy on this subject?  
 Yes, by \_\_\_\_\_ (date)  No
- (b) would the Government like to receive ILO assistance in developing it?  Yes  No
- 7.1. Has the Government established any special national body or institutional machinery in relation to:
- (a) The elimination of discrimination in employment and occupation  Yes  No
- (b) Equal treatment in the field of remuneration?  Yes  No

- 7.2. **If yes**, please indicate, with regard to 7.1(a) and (b):
- (a) The name, structure and composition of this machinery
  - (b) The grounds of discrimination that this machinery addresses
  - (c) The functions of this machinery (e.g. consultative, monitoring, policy-making)
- Please attach relevant documents to your reply, indicating Q. 7.*
- 7.3. **If no**, (a) does the Government intend to establish such machinery? \_\_\_\_\_ Yes, by \_\_\_\_\_ (date)
- (b) would the Government like to receive ILO assistance in designing it? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 8.1. (a) Does the Government collect statistics and information on a regular basis relevant to the elimination of discrimination in employment and occupation? \_\_\_\_\_ Yes \_\_\_\_\_ No
- (b) **If yes**, please identify the statistics and information, and name the institution(s) from which the ILO can obtain them.
- 8.2. **If no**, (a) does the Government plan to do so? \_\_\_\_\_ Yes, by \_\_\_\_\_ (date)
- (b) would the Government like to obtain ILO assistance in this regard? \_\_\_\_\_ Yes \_\_\_\_\_ No
9. In instances where the Government finds that the principle has not been respected, what does it do? Please describe action taken in recent instances.
- 10.1. Have employers' and/or workers' organizations been involved in the development and implementation of governmental measures regarding elimination of discrimination in employment and occupation?
- If yes**, please describe. *Please attach relevant documents, indicating Q. 10.1.*
- 10.2. Does the Government work with any multilateral agencies, with donors bilaterally and/or with non-governmental organizations at the multilateral level, in relation to the elimination of discrimination in employment and occupation? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 10.3. **If yes**, please name these organizations and briefly describe this cooperation.
11. Please describe any initiatives undertaken in your country that can be regarded as successful examples in relation to the elimination of discrimination in employment and occupation. *Please attach any relevant documents, indicating Q. 11.*
12. Please describe any major changes concerning the principle since your last report (for example, changes in the regulatory, policy or institutional frameworks, initiation of significant new programmes, new data).

Major change (elimination of discrimination)	Date of change
Major change (equal treatment in the field of remuneration)	Date of change



13. What have been the main difficulties encountered with respect to realizing the principle of the elimination of discrimination in employment and occupation? (*Please tick all that apply*).

Nature of the difficulty	Elimination of discrimination	Equal treatment in the field of remuneration
Lack of public awareness and/or support		
Lack of information and data		
Social values, cultural traditions		
Social and economic circumstances		
Political situation		
Legal provisions		
Prevailing employment practices		
Lack of capacity of responsible government institutions		
Lack of capacity of employers' organizations		
Lack of capacity of workers' organizations		
Lack of social dialogue on this principle		
Other. Please specify		

*Please attach details in relation to the difficulties noted, indicating Q. 13.*

- 14.1. Does the Government see a need for new and/or continued technical cooperation with the ILO to facilitate the realization of the principle of non-discrimination? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 14.2. **If yes**, please indicate your technical cooperation needs, **ranking them** as follows:

1 = most important; 2 = second most important.; 3 = third most important; 0 = not important.

*Please attach further details for the **first three priority technical cooperation needs** that you identify in relation to the elimination of discrimination in employment and occupation, indicating Q. 14.*

Type of technical cooperation desired	Ranking
Assessment in collaboration with the ILO of the difficulties identified and their implications for realizing the principle	
Awareness-raising, legal literacy and advocacy	
Strengthening data collection and capacity for statistical collection and analysis	
Sharing of experiences across countries/regions	
Legal reform (labour law and other relevant legislation)	
Capacity building of responsible government institutions	
Training of other officials (e.g. police, judiciary, social workers, teachers)	
Strengthening capacity of employers' organizations	
Strengthening capacity of workers' organizations	
Developing labour market policies that promote equality of opportunity	
Developing policies regarding equal remuneration	
Establishing or strengthening specialized institutional machinery	
Coordination between institutions (e.g. various ministries and relevant commissions)	

15.1. Regarding the preparation of this report:

- (a) Was the most representative employers' organization consulted in its preparation?  Yes  No
- (b) Were the most representative workers' organizations consulted in its preparation?  Yes  No
- (c) Was there consultation with any governmental authorities outside the Ministry?  Yes  No

15.2. **If yes** to any of the above, please describe the consultation process(es). *Please attach relevant documents, indicating Q. 15.*

16. Regarding comments received on this report:

- (a) Did employers' organizations make any comments on the report?  Yes  No
- (b) Did workers' organizations make any comments on the report?  Yes  No

17. Which employers' organizations have been sent copies of the report? *Please attach list, indicating Q. 17.*

18. Which workers' organizations have been sent copies of the report? *Please attach list, indicating Q. 18.*

19. Please attach to your report any other new information relevant to the efforts made in your country to respect, promote and realize the principle of the elimination of discrimination.

**Replies are due not later than 1 September – Please send to the InFocus Programme on Promoting the Declaration, ILO, 4 route des Morillons, CH-1211 Geneva 22, Switzerland; Email: [declaration@ilo.org](mailto:declaration@ilo.org). An electronic version of this form may be found at [www.ilo.org/declaration](http://www.ilo.org/declaration).**

**Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.**