



Fourteenth sitting

Friday, 10 June 2016, 2.45 p.m.

President: Ms Oliphant

REPORTS OF THE CREDENTIALS COMMITTEE: SUBMISSION, NOTING AND APPROVAL

The PRESIDENT

The first item on our agenda for this afternoon is the examination of the two reports of the Credentials Committee, which were published in *Provisional Records* Nos 6B and 6C.

I invite the Officers of the Committee, Mr Lamati, Chairperson, Mr Yllanes Martínez, Employer Vice-Chairperson, and Mr Ohrt, Worker Vice-Chairperson, to join me on the podium.

I call on the Chairperson, Mr Lamati, to present the reports.

Mr LAMATI (*Chairperson of the Credentials Committee*)

I am pleased to present to the Conference the first and second reports of the Credentials Committee, published in *Provisional Records* Nos 6B and 6C. In this context, I would like to briefly recall the mandate of the Credentials Committee.

Article 5 of the General Standing Orders of the Conference provides that the Credentials Committee is mandated to examine the credentials of delegates and their advisers, and any objection challenging those credentials or relating to a Government's failure to accredit a complete tripartite delegation to the Conference.

The Committee is also mandated to examine complaints relating to article 13(2)(a) of the ILO Constitution regarding the following: the non-payment of travelling and subsistence expenses for Employers' and/or Workers' delegates; and allegations of a serious and manifest imbalance between the tripartite groups in a delegation.

In addition, the Committee is authorized to monitor any situation arising from objections or complaints on which the Conference has requested it to report.

The second report of the Credentials Committee, contained in *Provisional Record* No. 6C, provides an overview of the Committee's caseload, including a summary of all objections and complaints received and processed at this session of the Conference.

During this two-week session of the Conference, the Committee examined 19 cases (which is one more than in 2015). As the report reflects, these cases consisted of one ongoing situation that required continued monitoring, 13 objections and five complaints. In examining these matters, the Committee held nine meetings.

The Committee received three objections relating to the accreditation of incomplete delegations to the

Conference. In addition, a number of objections received alleged a lack of consultation with the most representative employers' and workers' organizations, a lack of agreement regarding the nomination of their delegation, or both. In this regard, the Committee recalls that member States have an obligation under article 3(5) of the ILO Constitution to hold official consultations with their most representative organizations and to actively seek to facilitate an agreement among them with regard to the nomination of their delegation. Of these cases, three were deemed sufficiently serious to recommend to the Conference that monitoring be requested, namely Djibouti, Somalia and the Bolivarian Republic of Venezuela.

The Committee also received five complaints alleging the Government's failure to pay the travelling and subsistence expenses of Employers' and Workers' advisers and raising the issue of a serious and manifest imbalance between the number of Government advisers and the Employers' and Workers' advisers. On this point, the Committee would like to highlight its consistent precedent establishing that, while there is no constitutional obligation for a Government to nominate advisers, it must be recognized that the Conference can only work properly if there are a sufficient number of advisers present in the three groups of the Conference and if there is an adequate balance between them.

I would like to take this opportunity to stress that the Credentials Committee's mandate is to ensure the application of the principle of tripartism in all aspects of the Conference's work. For the Conference to integrate this fundamental ILO principle in both its structures and functioning, it is essential for all delegations to actively participate in Conference activities. To achieve this, it is essential that member States ensure an adequate balance among the three groups in their delegations, wherever possible.

I would also like to provide you with a brief overview regarding this session of the Conference. According to the information available to the Committee (reflected in its first report), 171 of the ILO's 187 member States were accredited to the Conference this year. In addition, the Committee is pleased to note that the number of participants registered as being in attendance at the Conference has continued to increase and is higher than at any session of the Conference over the past five years.

With respect to the participation of women in delegations attending the present session of the Conference, as of 9 June 2016, a total of 914 female delegates and advisers had been accredited, representing

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30.2 per cent of the total number of delegates accredited. In particular, the Committee is pleased to note that, for the second consecutive year, the Conference has appointed a woman President, reflecting its commitment to ensuring gender equality and supporting greater participation of women in leadership positions at this and future sessions of the Conference.

Nevertheless, the Committee wishes to highlight that the proportion of female delegates accredited to the Conference has diminished slightly in comparison with last year (down from 30.5 to 30.2 per cent), although the number registered as in attendance is slightly higher, at 30.8 per cent. Moreover, the statistical information available to the Committee each year demonstrates unequivocally the continued uneven distribution of women and men by group and function.

In light of the foregoing, the Committee concludes that the tripartite constituents have still not reached the targets set by the UN General Assembly in 1990 calling for 30 per cent of women in leadership and decision-making positions by 1995 and equal representation by 2000. It therefore encourages the constituents of all ILO member States to intensify efforts aimed at increasing the proportion of women in their delegations to future ILO meetings, in order to achieve equal representation at all levels.

Finally, and in closing, I would like to express my sincere appreciation to the Employer Vice-Chairperson, Mr Yllanes Martínez, and the Worker Vice-Chairperson, Mr Ohrt, for their immense contribution to the successful completion of the review of the numerous cases presented to the Committee this year.

The Committee would also like to thank the secretariat, whose members provided it with unstinting support throughout the duration of the Conference, doing their utmost to facilitate the task before the Committee. Lastly, I would like to take this opportunity to thank the translators and interpreters, without whose assistance we would undoubtedly not have managed to complete the Committee's work within the deadline.

The PRESIDENT

The Credentials Committee has adopted its reports unanimously. The Conference is called on to note them and, in addition, to approve the proposals contained in paragraphs 13, 88 and 111 of *Provisional Record* No. 6C, which concern Djibouti, Somalia and the Bolivarian Republic of Venezuela, respectively.

In accordance with article 26bis(7) and article 26quater of the Standing Orders of the Conference, the proposals are to be approved without discussion.

If there are no objections, may I take it that the Conference notes the reports and approves the three proposals?

(The reports are noted and the proposals are approved.)

Before moving on, allow me to take a moment to express my gratitude to the Officers of the Credentials Committee for their work of the highest quality. And neither should I wish to forget the very hard-working staff of this Committee.

The PRESIDENT

The next item for our consideration is the submission, discussion and approval of the report of the Committee on the Application of Standards. This report is published in *Provisional Record* No. 16, Parts 1 and 2. I invite the Officers of the Committee, Ms Mulindeti-Kamanga, Chairperson, Ms Regenbogen, Employer Vice-Chairperson, Mr Leemans, Worker Vice-Chairperson, and Ms López Benítez, Reporter, to come up to the podium.

May I first ask the Reporter, Ms López Benítez, to present the report.

Original Spanish: Ms LÓPEZ BENÍTEZ (Reporter for the Committee on the Application of Standards)

It is both a pleasure and an honour for me to present to the plenary the report of the Committee on the Application of Standards. At the outset I would like to remind you that this year we are celebrating the 90th anniversary of the creation, in 1926, of the Committee on the Application of Standards and the Committee of Experts on the Application of Conventions and Recommendations. As the representative of the Secretary-General recalled during the opening sitting of our Committee, these are the two pillars of the supervisory system of the ILO.

It is the double examination by these two Committees, one made up of independent experts and the other a tripartite body, which places the members of the ILO on a footing of equality in respect of the supervision of the application of the ratified Conventions.

The Committee on the Application of Standards is a permanent body of the International Labour Conference, charged under article 7 of its Standing Orders with reviewing the measures taken by Members to give effect to the provisions of Conventions that they have voluntarily ratified. The Committee also examines the manner in which States fulfil their reporting and other standards-related obligations, as provided for under the ILO Constitution.

The Committee is a unique tripartite forum at the international level because it brings together actors from the real economy drawn from all the regions of the world. All worked very hard in order to ensure that the Committee could carry out its work successfully.

Before presenting the report to the Committee, I would like to emphasize the results of the informal tripartite consultations on the working methods of the Committee on the Application of Standards that took place on 19 March 2016. These made an important contribution to the smooth operation of the Committee during the two weeks of the Conference. In the course of these consultations, measures were looked at to improve time management, which were implemented this year for the first time, and to improve the use of certain technologies. The Committee was therefore able to carry out its work in a harmonious and effective manner and in a spirit of constructive dialogue.

The report before the plenary is divided into two parts. The first part contains the general report of the Committee, which includes a record of its general discussion and the discussion on the General Survey carried out by the Committee of Experts. This year, the Committee also examined the report of the Joint

ILO–UNESCO Committee of Experts on the Application of Recommendations concerning Teaching Personnel. The second part of the report contains a detailed record of the discussion of individual cases, in particular the 24 individual cases examined by the Committee on compliance with ratified Conventions and the related conclusions adopted for each of these cases.

I would like to recall the most salient characteristics of the Committee’s discussions on these issues.

Let me begin by saying that the Committee managed, within the set time period, to adopt a list of 24 cases for review and, despite the challenge of the time limitations, it was able to examine the 24 cases and adopt consensual conclusions with respect to all of them. The Committee also decided to include a special paragraph on the application by Bangladesh and El Salvador of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

I will now briefly refer to the Committee’s general discussion, which emphasized the fruitful dialogue that took place between the Committee on the Application of Standards and the Committee of Experts. The Conference Committee works very closely with the Committee of Experts and, to a large extent, on the basis of the report of the Committee of Experts. It is also an established practice for both Committees to have direct exchanges on matters of common interest. Accordingly, the Vice-Chairpersons of the Committee held a further exchange of views on standards-related matters and the operation of the ILO supervisory system with the members of the Committee of Experts at its last session in 2015. The Conference Committee also had the pleasure of welcoming the Chairperson of the Committee of Experts, Mr Koroma, who was present for the first three days of the Conference Committee’s discussions, during which emphasis was laid on the importance of the interaction between the two Committees.

The Committee also examined the General Survey concerning the migrant workers instruments. The General Survey, together with the ensuing discussion and the outcome adopted, will be a fundamental contribution to the general discussion on labour migration that will take place during the 106th Session of the International Labour Conference in June 2017. It is important to say that, in the context of the above-mentioned outcome, the Committee emphasized the fact that effective governance of international labour migration and the rights of migrant workers is closely linked to other issues currently addressed by the ILO, including fair recruitment, equality and non-discrimination, economic development, poverty reduction, decent work for the transition to peace, and fundamental principles and rights at work. The Committee reaffirmed its commitment to ensuring the application in law and in practice of the fundamental rights of migrant workers and to improving the global governance of labour migration. It also noted the opportunity provided by tripartite discussions in various ILO forums, including the Standards Review Mechanism, to ensure the continued relevance of the instruments to the world of work. In particular, the Committee considered that the tripartite constituents may, within the general discussion on labour migration in the Conference next year, wish to consider the need to review or consolidate the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions)

Convention, 1975 (No. 143), as well as the need to complement existing labour standards.

Finally, I would like to thank the Chairperson of the Committee, Ms Mulindeti-Kamanga, as well as the Employer Vice-Chairperson, Ms Regenbogen, and the Worker Vice-Chairperson, Mr Leemans. I recommend that the Conference approve the report of the Committee on the Application of Standards.

Ms REGENBOGEN (*Employer Vice-Chairperson of the Committee on the Application of Standards*)

On behalf of the Employers’ group, I commend the report of the Committee on the Application of Standards to this plenary today and recommend its approval. The work of the Committee took place in a constructive and open atmosphere; it determined its clear mandate to move forward in a constructive manner. The Committee demonstrated its ability to lead a meaningful and results-oriented tripartite dialogue. It reaffirmed its role as one of the pillars of the supervisory system, where the ILO’s tripartite constituents have a comprehensive debate regarding the application of international labour standards in light of the realities of socio-economic conditions in member States, on the basis of the Committee of Experts’ technical preparatory work.

While divergence in opinion on issues continued to exist among the tripartite partners, these were voiced in a spirit of mutual respect and understanding. The Committee successfully concluded its work on time, thanks to an excellent management of the time we had for our work by our Chairperson, Ms Mulindeti-Kamanga, and the full cooperation of the delegates. In our view, technological innovations in the work of the Committee made even more efficient the use of its time.

The Employers took the discussion of the general part of the Committee of Experts’ report as an opportunity to highlight a number of positive elements in the report. We also took that opportunity to provide feedback on how that portion of the report can be even more user-friendly and effective. We discussed the option that the Experts may wish to consider the presentation of observations by country, as opposed to by Convention, so that this will give the reader an opportunity to more fully understand the situation of the country’s application of the Conventions that the member State has ratified in a more holistic way. Also, we made a recommendation that the Experts consider the possibility that the text of all submissions made by both employers’ and workers’ organizations be available via a hyperlink in the electronic version of the Experts’ report and on the NORMLEX website, for those organizations that wish to have their submissions made public. This may assist the user in reading the report and having a deeper understanding of the submissions made by the various social partners.

We also took the opportunity to provide some constructive feedback, from the Employers’ perspective, on the Experts’ observations in respect of individual cases. As most of you know, the Committee of Experts and the Committee on the Application of Standards are the two pillars of the regular supervisory system which examines Governments’ obligations to have, in law and practice, conformity with the provisions of ratified Conventions. The Employers are of the view that more regular feedback and dialogue between these two pillars of the supervisory system would render the operation of the Committee on the Application of Standards even more effective and

more meaningful, and would serve to further enhance the work of the Committee of Experts. Closer and more constructive opportunities for such feedback and dialogue can serve to ensure that the supervisory system as a whole is coherent and credible. The Employers take this opportunity to restate our very strong commitment to a strong and healthy, cooperative and respectful operation of the supervisory system.

As the constituents of this house are aware, healthy social dialogue produces a divergence of views from time to time. Provided that this divergence of views is presented in a climate of mutual respect and cooperation, the Employers believe that such divergence of views can serve to allow the parties an opportunity to debate important issues and to better understand each constituent's view. In our view, it does not detract from our mutual commitment to be one part of a productive and constructive tripartite supervisory system. In fact, our view is that this is the opposite. Our commitment is strong and continuing.

It is in this spirit that the Employers note that there continues to be a divergence in the Employers' view of the scope of Convention No. 87 in relation to right to strike issues, and that we note that there is no consensus in the Committee on the Application of Standards that Convention No. 87 includes a right to strike. The consensus between the social partners is recorded in the February 2015 agreement and notes that the right to take industrial action by workers and employers in support of their legitimate industrial interests is recognized by the constituents of the International Labour Organization. In this respect, the Employers also consider it necessary to highlight the Government group statement of February 2015, which spoke to the issues of Convention No. 87 and right to strike issues. In particular, we think that paragraphs 4–6 of the Government group statement must be read together, to understand the nature and the context of the Governments' intervention. This Government group statement reads as follows: "The Government Group recognizes that the right to strike is linked to freedom of association which is a fundamental principle and right at work of the ILO. The Government Group specifically recognizes that without protecting the right to strike, Freedom of Association, in particular the right to organize activities for the purpose of promoting and protecting workers' interests, cannot be fully realized. However, we also note that the right to strike, albeit part of the fundamental principles and rights at work of the ILO, is not an absolute right. The scope and conditions of this right are regulated at the national level. The document presented by the Office describes the multi-faceted regulations that States have adopted to frame the right to strike." The Government group went on to note that it is "ready ... to consider discussing, in the forms and framework that will be considered suitable, the exercise of the right to strike. We believe that the complex body of recommendations and observations developed in the past 65 years of application of Convention No. 87 by the various components of the ILO supervisory system constitutes a valuable resource for such discussions, which will also be informed by the multi-faceted regulations that States and some regions have adopted to frame the right to strike." Therefore, the Employers understand, from this Government group statement, that the scope and conditions regarding the careful balance involved in regulating industrial action, including strike action, is regulated at the national level.

As a result, the Employers submit that the conclusions of the Committee on the Application of Standards on cases involving Convention No. 87 do not make requests or recommendations for revisions to member States' national approaches to regulating strike action or the right to strike.

Turning to our view on the discussion of the General Survey, the Employers think that this is a very topical and important discussion, on the issue of labour migration and the contribution that the ILO can make to this very important topic. The Employers regard migration as a very positive phenomenon.

It is a vehicle for balancing labour supply and demand, for sparking innovation, developing entrepreneurial opportunities, transferring and spreading skills; all of these facets of labour migration are extraordinarily positive. Businesses are frequent users of national migration systems; their experience with the practical workings of immigration laws, procedures and policies, as well as their knowledge of emerging market and staffing trends, can supply important information to both governments and international organizations. However, unfortunately, in many countries employers' input into the process of migration laws and policies is not recognized and governments own the space entirely. Therefore, in many countries we note that it is unfortunate that the private sector has often been absent from consultation on migration policy. Employer and worker involvement in managing migration seems to us to be an obvious but neglected need.

The discussion of the General Survey was an occasion to point to the importance of the ILO having the most up-to-date information and standards to guide members' responses to this sensitive and timely issue. The Employers' group pointed out provisions of the Conventions that, in our view, were not entirely up to date, while restating the importance of the topic for all of the stakeholders involved. To this end, we think it is very positive that our conclusions on the General Survey note that the issue is as relevant today as it was when the instruments were first adopted and, in fact, the issue may be even more relevant; it is certainly more complex. The Committee, in its conclusions, was aware that certain provisions of the Conventions might be considered to have lost their relevance, or may not be fully responsive to, or necessary to, the current labour migration context. In this regard, the Committee noted the opportunity provided by the tripartite discussions in various ILO forums, including the Standards Review Mechanism, to ensure the continued relevance of the instruments to the world of work. The Committee considered also that the tripartite constituents may, within the general discussion on labour migration that is to take place in the Conference next year, wish to clarify the possible need for a review or consolidation of the labour migration Conventions, and may also wish to consider the need to complement the existing labour standards.

We think it is also very positive that the Office has been given the direction by the Committee to undertake an awareness-raising and implementation campaign on the Conventions, with a view to ensuring that States understand their obligations under these various Conventions, and that it can guide government responses.

Turning now to the discussion of the individual cases. The list of 24 cases that were considered by our Committee in our work this year was negotiated in a constructive manner and in good faith and was

delivered by the proposed deadline. The Employers note with regret that we were not able to include a case of progress in the listed cases that we considered. We think that this is a missed opportunity, as our Committee can also highlight situations in which governments have made real and substantive progress and can share best practices on various issues. We also think that it would be helpful to examine cases that relate to the topics discussed in the General Survey; in this way, we can complement the work of the General Survey with an in-depth view of how these Conventions are being applied, both in law and practice, in countries at this moment. So we think that both of these are something that we can work on in the future and that these represent a missed opportunity for this year.

The Employers note also that more than half the cases considered this year related to either Convention No. 87, or the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). We would like, on behalf of the Employers' group, to suggest that we ensure that we supervise a broader range of cases, including additional cases related to forced labour, child labour, anti-discrimination, labour inspection, employment policy and tripartite consultation. We hope that the Experts will be able to provide us with observations on these Conventions that are as deep as some of the other observations, to allow for a full discussion. We appreciate that there are some challenges with the technical Conventions as a result of the reporting cycle. However, when it is the cycle in which a Convention is being examined, we are urging the Committee of Experts to have a more in-depth review, so that we have that foundation on which to base our work.

We had a number of cases under Convention No. 98 that we supervised this year. The Employers wish to point out, in response to what I anticipate the Worker spokesperson will mention, that we are of the view that it is very important, in these cases in particular, to have a clear understanding of the socio-economic context of the case in question. And so, while our overall position regarding the scope of the Convention remains coherent as concerns its application in various countries, of course we must take into account the national circumstances.

We think it is also a very positive measure that in a section before the conclusions of the individual cases, we have included a paragraph which assists the reader in understanding the scope and nature of the conclusions. The paragraph reads as follows: "The Committee on the Application of Standards (CAS) has adopted short, clear and straightforward conclusions. Conclusions identify what is expected from Governments to apply ratified Conventions in a clear and unambiguous way. Conclusions reflect concrete steps to address compliance issues. Conclusions should be read with the full minutes of the discussion of an individual case. Conclusions will no longer repeat elements of the discussion or reiterate Government declarations which can be found in the opening and closing of the discussion set out in the Record of Proceedings. The CAS has adopted conclusions on the basis of consensus. The CAS has only reached conclusions that fall within the scope of the Convention being examined. If the Workers, Employers and/or Governments had divergent views, this has been reflected in the CAS Record of Proceedings, not in the conclusions."

We think that this is a very important clarifying note for the reader to understand the context in which

the conclusions share information. We feel very confident this year that we worked very hard to ensure that we deliver on this promise, that we have short, clear and straightforward conclusions and that these conclusions deal with points of consensus. As a result, we do not provide direction in these conclusions to governments in respect of areas of divergence, for example in relation to strike regulation. We think that this is a helpful and meaningful way in which we have clarified the conclusions and where they fall within the overall discussion.

In terms of some of the specific cases that we have discussed this year, I just want to make reference to a couple of individual cases. First was the case of the Bolivarian Republic of Venezuela in relation to the application of the Employment Policy Convention, 1964 (No. 122). This case dealt with the lack of an active employment policy designed to promote full, productive and freely chosen employment in consultation with the most representative employers' and workers' organizations. The Committee concluded that the Government should accept an ILO high-level tripartite mission in this case.

The other case that I wish to note is the case of El Salvador in relation to its application of Convention No. 87. This case concerns a lack of autonomy of workers' and employers' organizations to select their representatives on tripartite bodies where, due to the interference of the Government, the Higher Labour Council could not meet for the last three years. This case was inserted in a special paragraph of the report, as the Reporter has explained, and the Government was requested to accept a direct contacts mission in order to guide it towards compliance with the Committee's conclusions.

In the case of Mauritius, this involved the application of Convention No. 98, and it concerned the Government's undue interference in private-sector collective bargaining that was damaging to both the autonomy and the freedom of employers' and workers' organizations and their ability to collectively bargain in good faith. This is the case in which the conclusions have requested that ILO technical assistance is provided in order to ensure compliance with the Committee's conclusions.

Finally, in relation to two cases, the Employers note first, in respect of the case of Kazakhstan and its application of Convention No. 87, that this case concerned, among other things, serious infringements of the employer organization's freedom of association when legislation was adopted forming a national chamber of commerce of entrepreneurs. In this case, the Committee urged the Government to accept ILO technical assistance in order to ensure compliance with the Committee's full conclusions. In relation to the case of Turkmenistan and its application of the Abolition of Forced Labour Convention, 1957 (No. 105), the Employers expressed their very deep concern at the continued use of forced labour in respect of the state-sponsored cotton harvest and urged the Government to take immediate steps to cease all such forced labour.

With respect to cases that we were not able to discuss because of the time constraints involved, the Employers' group expects that the tripartite agreement signed at the national level in Uruguay will lead to concrete results in the application of Convention No. 98 without further delay. Also, the Employers' group considers that the violation by the Government of the Plurinational State of Bolivia of the provisions of the Labour Inspection Convention, 1947 (No. 81),

and the Minimum Wage Fixing Convention, 1970 (No. 131), is a serious concern. We trust that the Government will take all necessary measures to bring its law and practice into full conformity with the Conventions and will report to the Committee of Experts at its next meeting.

In conclusion, the Employers' group is positive about the way in which the Committee on the Application of Standards operated this year in holding significant constructive and meaningful discussion, reaching consensus wherever possible and highlighting a divergence of views in the record when necessary. We think that this is a helpful way in which our Committee has demonstrated the ability to work in a spirit of both mutual cooperation and understanding. One of the goals of the Committee on the Application of Standards is to guide member States on key matters relating to the governance of labour and social policy, thus enabling member States to find ways that, on the one hand, can promote the adequate protection of workers and, on the other hand, can promote full employment and sustainable enterprises. We think our work this year struck that very important balance.

I would like to conclude with words of thanks and appreciation for Ms Vargha, Director of the International Labour Standards Department, and her team. Without their tireless work and support and assistance we would not have been able to complete the very intense workload that we had with the success that we enjoyed. So, first and foremost, I would like to thank the ILO team from the International Labour Standards Department. Also, special thanks to our Chairperson, Ms Mulindeti-Kamanga from the Government of Zambia, for the fair parliamentary running of the Committee's meetings this year and for her excellent and effective time management. Furthermore, I would like to thank our Reporter, Ms López Benítez, who this year ensured that the work of our Committee was properly recorded. I would also like to thank the Employers' group on the Committee on the Application of Standards generally; we had rich discussions in which it was most helpful for all of us to better understand the national circumstances of the various member States and the views of the employers' organizations concerning the challenges faced in those regards. We have a highly engaged group, which resulted in very meaningful and constructive feedback. In particular, I would like to thank some of the members of the Employers' group who assisted in the presentation and preparation of individual cases. I would like to thank Mr Echavarría, Mr Mailhos, Mr Kloosterman, Mr Mackay and Ms Hellebuyck, Mr Dreesen, Mr Ricci Muadi, Mr Moyane and Mr Bobic Concha for the help they gave in this regard. I would also like to express my deep gratitude for the invaluable support given to me by Ms Anzorreguy and Ms Assenza of the International Organisation of Employers, Mr Hess and Mr Lauer of the Bureau for Employers' Activities (ACT/EMP) at the ILO and Ms Peraffan Londoño from ANDI Colombia. Without their tireless work and support, once again, our work on behalf of the Employers' group would not have run as efficiently as it did, so very deep and sincere appreciation. Finally, but by no means least, I take this moment to thank the Worker Vice-Chairperson, Mr Leemans, and his excellent team for their constructive collaboration. We were able to work despite, on a few occasions, having divergent views. We were able to work in a very constructive manner, a very

cooperative manner, demonstrating deep respect for the fundamental positions and issues that each group faced. So for this very cooperative spirit I thank Mr Leemans.

Original French: Mr LEEMANS (Worker Vice-Chairperson of the Committee on the Application of Standards)

The ILO is approaching its 100th anniversary. It is the oldest organization of the United Nations. One hundred years ago governments said that, without social justice, there would be war. And social justice implies humane conditions of labour. Seventy years ago, after another global conflict, governments stated that labour was not a commodity.

One might ask whether we are halfway there yet. Let me give you an example to try and answer that question. The Rana Plaza tragedy, which was the worst industrial accident since the Bhopal disaster, shattered any dreams of a happy globalization process, and contradicted the idea that globalization benefits workers in developing countries. Today, the violence of global competition is reflected in numerous conflicts and in climate change. Violence against individuals is also being institutionalized, wherever democracy and freedom of association are placed under the control of international institutions. Examples of this are Greece and Portugal, and the Committee of Experts' report bears this out.

Globalized competition weighs heavily on workers and it undermines national labour regulations. Combined with the economic crisis, climate change and the greed of financial markets, globalized competition has hit stakeholders in the productive economy hard, and is making the workers' situation a little more fragile each day. In this context, social protection is considered above all as an expense and an administrative burden.

However, let us be optimistic, as history encourages us to be. Our world of suffering is also creating an ocean of possibilities and initiatives and we are part of that. Social justice does indeed call for humane conditions of labour. Such conditions cannot be ensured without supervision of global competition from a social perspective. We need an International Labour Organization that is responsible for defining and applying common labour standards in all nations. This organization does exist; it is our International Labour Organization. This process of applying standards also exists; it is the work that we have accomplished in the Committee on the Application of Standards.

The role of international standards is to guarantee development – development which is not only economic but also aimed at improving the living conditions of men and women and protecting their dignity. International labour standards provide the foundations for humane working conditions.

In 2016, at a time when the pace of work is increasing and technological developments are calling into question the content and structure of employment, we have sought to reaffirm in our work that humane working conditions are sometimes not enough to achieve sustainable peace. Job content is being increasingly undermined by the race for productivity and ever greater profits. Job content therefore also needs to be genuinely humane.

We are certainly not halfway there yet, but we have the instruments at our disposal to get there.

As this session of the Conference comes to an end, the Workers' group is pleased to note that the Com-

mittee on the Application of Standards has placed another stepping-stone on the pathway to social justice. We are convinced that the work that we have carried out will help address the challenges that we face in our world.

This year, we have confirmed the achievements of 2015. The Committee is functioning properly again, it is back on track. I welcome this success. The list of cases was adopted by consensus and, as was the case in 2015, we did not have to apply the veto mechanism. This is a sign of sound cooperation between the Employers' and Workers' groups. This constructive working atmosphere has been maintained throughout the work of the Committee, and at the end of our session I note that we have adopted clear and precise conclusions for all of the cases. We have done an excellent job and we will ensure that this work is followed up on the ground.

However, one minus point is that the adoption of a consensus-based list implicitly requires the participation of all groups when cases are considered. The low number of interventions made our work less effective at times. We therefore call on all parties to participate actively in the examination of all cases, as was done by the Workers' group.

A second point deserves a mention. Governments also have an important role to play, particularly in ensuring the presence of tripartite representatives, so the attitude demonstrated by the Governments of Mauritania and Ecuador is regrettable. The absence of a full tripartite delegation prevents quality discussions from being held.

Despite the constructive atmosphere, disagreements on substance remain. Of course, the Workers and Employers do not agree on everything, otherwise we would be able to merge the two groups. But we are pleased that the joint statement on the right to strike and the Government statement adopted at the end of the meeting on working practices in February 2015, which Ms Regenbogen has already mentioned, have enabled us to look beyond our differences. These are extremely important texts which ensure that our work is carried out effectively and, in this regard, I urge the Governments to own and regularly re-explain the content of their statement to the Committee.

The Conference Committee is one of the pillars of the supervisory mechanism, and the Committee of Experts is another. Each one functions autonomously and independently. This time, the Experts have once again played an essential role. Their report has enabled our Committee to work properly.

I would like to take this opportunity to reiterate several essential elements of the Experts' work. The most important of these is the respect and trust that it has always inspired in the Workers' group. According to the Workers' group, and in line with the view that has always been held, the Committee of Experts is an independent body which is a product of the tripartism of the ILO and whose mandate is based on three major principles.

Firstly, the task of the Experts is to inform us. They provide information on any national practices or standards that are not in line with the Conventions. This inevitably presupposes an evaluation and hence a certain amount of interpretation of national legislation and of the provisions of the Convention concerned. It is impossible to function without this interpretation, and as the Workers' group has already emphasized on previous occasions, the Experts' comments and interpretation may be concerned not only

with legislation but also with its application in practice. The interpretation of the application in practice is indispensable. It is mainly the workers who are directly affected by the issue of the application in practice. So it is only right that the work of the Experts covers this area too.

Secondly, the equality and uniformity of the Experts' treatment of member States in supervising the application of Conventions guarantee legal certainty. Such an approach is essential in order to underline the principle of legality, which encourages governments to accept the Experts' views and brings a level of certainty that is essential for the effective operation of the ILO system.

Thirdly, the Experts' expertise has been clearly demonstrated. They come from all regions of the world, and have direct experience of different legal, economic and social systems. The Committee is composed of independent individuals of recognized authority, which ensures broad acceptance of their views on the meaning of the Conventions. The Committee of Experts carries out an impartial and technical examination of the manner in which ratified Conventions are applied in law and in practice, taking into account the different national situations and legal systems. The Experts guide member States; their impartial analysis of the situations on the ground and of the legal scope of the content and meaning of the provisions of the Conventions serve to guide the actions of national authorities. The clearest evidence of this is the way in which the Experts' recommendations and views are incorporated into national legislation and court rulings. The Experts therefore have the legitimacy required to make observations and direct requests, to ask governments questions on the application of ratified Conventions, and to encourage them to amend their legislation.

For all these reasons, on behalf of the Workers' group, I would like once again to reaffirm our trust and confidence in the Experts, and thank them for their remarkable work.

On the other hand, throughout our work, we have noted that the rigour of the Experts is not always matched by the Employers' group. Some statements were somewhat surprising for us, for example with regard to the scope of application of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) – and I do mean Convention No. 98 – and the binding nature of the principles of collective bargaining. I am thinking, for example, of the remarks made on the freedom of collective bargaining in export processing zones. I am also thinking of the Malaysia case, which involved issues with the Hong Leong Bank, and which was not brought before the Committee by the Workers' or the Employers' group but by the Malaysian Government itself. The statements by the Employers' group are surprisingly inconsistent at times. I would like to recall the Mauritius case, in which the Employers stressed the importance of the principles of collective bargaining. For us, therefore, inconsistency hinders the work of the Committee to an extent. But perhaps we can overcome this inconsistency through the work of our Committee in the years to come.

As stated by the Experts in their report, and by the Employers in the Mauritius case, we consider it important to recall that the principle of free collective bargaining stems from Article 4 of Convention No. 98. This is an extremely important Article. In this regard, I would also like to recall an interesting debate that we had on Ireland and collective bargaining

rights for self-employed workers. It was the first discussion of this kind in the Committee on the Application of Standards. We hope that it will bear fruit in the future, as both the Employers' group and the Workers' group would benefit.

The main challenge that we have faced in 2016 has not only been the adoption of conclusions but also adherence to the schedule. I would like to thank the entire Workers' group. They have demonstrated exemplary rigour, and, as you know, sometimes it is very difficult for the Workers to keep their statements brief.

Democracy takes time, and the time needed to ensure democracy is not always compatible with expectations of efficiency. When a case is complex, we need time to examine it in a Committee session and also to carry out the preparation. We begin the preparation for cases when we arrive in Geneva, once the list has been adopted. Therefore, the reduction of the speaking time for delegates to three minutes, and of the preparation time outside the Committee, should be subject to an ongoing review.

In our working methods too, it is sometimes difficult to reconcile democracy and efficiency. For example, reducing the amount of paper used by greater recourse to electronic means is an important objective. However, this objective should not take priority over the provision of documents for everyone. Efficiency should not take precedence over democracy.

This year, the ILO unfortunately did not devote sufficient attention to the technical Conventions, even though the examination of their application is of primary importance in upholding international labour standards. We already addressed this point at the beginning of the Committee's work. Because of their content, it is sometimes difficult to make use of the comments relating to the technical Conventions. However, this content depends on the observations made by the tripartite constituents; if no observations are made, the Experts have little material to work with. We therefore encourage all stakeholders to give greater consideration to the technical Conventions, which are the most precise and therefore the most applicable of the labour standards.

I would now like to talk briefly about the General Survey. We welcome the adoption of the joint conclusions, in consensus with the Employers, on the General Survey concerning the migrant workers instruments, which was made possible by the high-quality work of the Committee of Experts. We would like to thank them for that. The work of the Experts depends mainly on the observations of trade union organizations and employers' organizations. However, we note that it was mainly the Workers' group that made observations. But above all, this work depends on the detailed reports provided by member States on the application in law and in practice of the Conventions under examination. Reports were submitted by 122 out of the 187 member States requested. If my calculation is correct, this means that 65 member States, or one third of the ILO membership, did not deliver any report. We hope that in the future more member States will submit their reports as part of the preparation of General Surveys. Member States should also ensure that their reports address the questions asked by the Experts. Reports are not always of the necessary quality, and I would like to reiterate that it is extremely important to provide comprehensive and relevant information to the Experts so that the work of the Committee on the Application of Standards can be improved.

When speaking about standards and supervision, it is also important to think about their development, and therefore about the future. The Standards Review Mechanism will play a fundamental role in this regard. It is important to emphasize this role: it must not result in the weakening of protection. Our Organization should not be used to water down worker protection; rather, it should serve to address the gaps that exist in legislation. It is an important and complex process. I would like to emphasize that this process does not have any effect on the legal value of the Conventions. The Conference is the sole body with legislative authority. The Committee on the Application of Standards has no role to play in this. Our job is solely to oversee the application of standards.

However, the supervisory work carried out by our Committee, with its global tripartite representation, cannot be compared to that of a complaints committee. On the contrary, it is a wide-ranging democratic and technical process, and so the wider impact of the examination of the 24 cases on similar global situations is just one of the results of the work of the Committee on the Application of Standards. The close attention paid by the tripartite constituents during the examination of cases certainly contributes to this impact. But it might still be worth considering ways of improving the continuity of discussions.

The aim of all these considerations is to strengthen the supervisory mechanisms of our organization and adapt them to the forms of work in the twenty-first century. I will not make premature references to our future work, but will instead conclude by celebrating the achievements of our Committee in 2016. This success could not have been obtained without the full commitment of many individuals. I would therefore like to warmly thank Ms Mulindeti-Kamanga, our Chairperson, Ms Vargha, the representative of the Director-General, and Ms López Benítez, our Reporter. I would also like to say an enormous thank you to the team put together by the Committee on the Application of Standards, the secretariat, which does a huge job, and the interpreters – the omnipresent participants in the background. I also thank all the Governments for their support, and the Employers of course. They have played a very constructive role, and I would like to thank them, in particular their spokesperson, Ms Regenbogen, who has always sought agreement and consensus. I would also like to thank the Workers' group, who I represent, for its active participation, its discipline and, at certain times, for its patience, and also, of course, all the individuals with whom I have worked directly, the representatives of the International Trade Union Confederation (ITUC), the Confederation of Christian Trade Unions (CSC) and the Bureau for Workers' Activities (ACTRAV).

We have no doubts about the essential role of the Committee in the future. It is laying the foundations for a legal, social and global order, thereby meeting a genuine need in the current context. One hundred years ago, governments declared that, without social justice, there would be war; let us not forget that this is precisely the misfortune that came to pass. In 2017, let us continue this excellent work and take on new challenges.

On behalf of the Workers' group, I recommend that you approve the report of the Committee on the Application of Standards.

I have the honour of taking the floor to make a brief statement on the work of the Committee on the Application of Standards, which it has been my privilege to chair this year. I would like to begin by thanking the Government members of the Committee for the trust that they have placed in me by nominating me as Chairperson of the Committee this year, which marks the Committee's 90th anniversary.

Since its creation in 1926, the Committee on the Application of Standards, along with the Committee of Experts on the Application of Conventions and Recommendations, has been a cornerstone of the ILO supervisory system. It has also been an important expression of tripartism within the house. I have been very encouraged by the fact that this spirit of tripartism and constructive engagement prevailed once again this year, as the distinguishing feature of the Committee's work. I feel privileged to have chaired the highly technical discussions that took place on a number of critically important questions relating to labour relations and human rights questions, an outstanding example of which was the General Survey concerning the migrant workers instruments. I hope that full account will be taken of the Committee's conclusions on the General Survey in the context of the general discussion on labour migration, which will be held next year at the 106th Session of the Conference.

This year, the list of 24 individual cases for discussion at the Committee was adopted on time. Meaningful dialogue prevailed throughout, with sometimes intense exchanges between members, and conclusions were adopted by consensus on all 24 cases. The constructive engagement of Governments and social partners in discussions, which always remained within the rules of decorum, clearly demonstrates the solid commitment of all constituents to the ILO and its supervisory system. I consider this to be an achievement in itself. I trust that all the countries whose cases were examined were able to find in the discussions that took place the necessary guidance towards solutions to the issues raised, and that they will not hesitate to avail themselves of technical assistance from the Office in order to pave the way towards the implementation of appropriate solutions.

I should also like to express my thanks for the presence of Mr Koroma, the Chairperson of the Committee of Experts, who once again attended the session of the Conference Committee this year. His presence allowed us to emphasize the close relationship between the two Committees, as essential pillars of the ILO supervisory system, and their continuing cooperation based on a spirit of mutual respect and responsibility.

I would like to convey my special thanks to the President and Vice-Presidents of the Conference for visiting the Committee. It was a pleasure to be able to welcome you. I would also like to thank Ms López Benítez, the Reporter of our Committee, for carrying out her functions so diligently. Special thanks go to the Employer Vice-Chairperson, Ms Regenbogen, and the Worker Vice-Chairperson, Mr Leemans, and to their respective teams for the courteous cooperation that they showed me as Committee Chairperson. I would also like to thank the secretariat of the Committee, under the leadership of Ms Vargha, Director of the International Labour Standards Department and representative of the Secretary-General in the

Committee. Through their unfailing dedication and professionalism, Ms Vargha and her team made sure that the Committee functioned seamlessly. Lastly, I would like to compliment the interpreters on their excellent work. The success of our discussions largely depended on their intervention, so I am truly grateful for their commitment and support.

Original Spanish: Mr MORALES VÉLEZ (Government, Mexico)

The group of Latin American and Caribbean countries (GRULAC) would like to thank the Chairperson and Vice-Chairpersons of the Committee on the Application of Standards for their efforts and their commitment. Similarly, we are grateful to the Reporter of the Committee, who has informed us of the conclusions. We would like to emphasize the collaboration of the Governments who were present to provide the information requested. Our regional group has always indicated its commitment to the ILO supervisory bodies, of which the Committee is the cornerstone. This democratic exercise has contributed to promoting the effective application of international standards in all member States in support of labour rights.

It should be stressed that the Committee on the Application of Standards is a pioneer in establishing supervisory mechanisms in the sphere of the international organizations. This experience should be both valued and perfected.

As regards the functioning of the Committee this year, GRULAC would like to reiterate its comments regarding the need to continue working to achieve a transparent, clear and objective supervisory system. I would like to refer specifically to the principle of selective examination adopted by the Committee since 1955. We think that the selection of cases should be based on the identification of clear discrepancies between ratified Conventions, on the one hand, and national law and practice, on the other hand, as indicated by the Committee of Experts on the Application of Conventions and Recommendations. In this regard, our group feels concern at some of the country cases that were selected, where we observe that the Committee of Experts on the Application of Conventions and Recommendations made no explicit statement about any failure to comply with the Convention in question but only requested additional information. We note that several of the cases selected do not necessarily meet the criteria established by the Committee on the Application of Standards. For example, there was no explicit statement of non-compliance in respect of some of the countries on the list of cases. There were requests for further information from the Committee, but no indication of discrepancies between the Convention, on the one hand, and law and practice, on the other hand.

The principle of selective examination should be used when drawing up the list of cases so that the selection is proportionate to the seriousness of the cases considered in this important forum. We continue to observe a regional imbalance in the list of cases. Thirty per cent of the cases presented before the Committee on the Application of Standards came from our region. It should be noted that GRULAC, when evaluating regional balance, does not take double-footnoted cases into consideration since, because of their urgent nature, they have to be considered by the Committee regardless of their region of origin. It therefore seems disproportionate that out of 19 cases, six of them, almost one third, come from our region. This highlights the need to fulfil objective selection

criteria, without by any means undermining labour rights. Furthermore, consideration should be given to the reasons for this, bearing in mind that our region has one of the highest rates of ratification of ILO Conventions, and a tradition of recognizing employers' and workers' organizations.

The Committee should also analyse cases of progress. This would be very valuable, both for States and for the social partners, who make considerable efforts to ensure progress in compliance with international labour standards.

Mr SAHA (*Worker, India*)

I am a member of the Indian Workers' delegation and, having worked for and participated in the debate in the Standards Committee over the past two weeks, wish to express my deep concern at the rapid erosion of standards and values within a short period of two and a half decades of globalization. Unemployment, hunger, destitution, job losses, job insecurity, and curtailment of spending on social security, healthcare and education, are a severe attack on the global working population. Today, millions of mothers are sending their little daughters with tears to harm, selling sex for the survival of their hungry families. Nowadays, some 700 million people from the global population go to sleep at night with empty stomachs.

On record, 3 per cent of the world population are migrant workers, and many more who go unrecorded are subjected to torture and inhuman treatment. Nobody likes to leave his or her own homeland unless compelled to do so for survival. The destination of migrant workers is either North America, Europe or the Arab region. Instead of sending them to school, unemployed parents by the millions are sending their children to work. Modern forms of bonded or forced labour are reappearing in our civilization.

During our deliberations we have also observed that workers joining a union of their own choosing, attending a peaceful demonstration, or participating in a lawful strike, have been charged with batons, put behind bars or murdered. Employers, in most cases, hire and fire workers at will. Collective agreements are not acceptable to them and, in practice, they go for individual contracts, ignoring the right to collective bargaining.

In short, this is the global situation reflecting the status of social justice. I mean to say social justice, and it is alarming to recall that "universal and lasting peace can be established only if it is based upon social justice". Yet, in the given circumstances, the working people of the world have no other alternative than to go for a radical change in society in order to achieve the cherished goal of universal and lasting peace, as this social system is not only economically, ethically, culturally and morally exploitative, it is actually dehumanizing humankind.

The PRESIDENT

We shall now proceed to the approval of the report of the Committee on the Application of Standards.

If there are no objections, may I take it that the Conference approves the report of the Committee on the Application of Standards, as contained in *Provisional Record* No. 16, Parts 1 and 2.

(The report is approved.)

I should like to congratulate this Committee on the work achieved and, furthermore, on the very positive attitude that prevailed throughout its deliberations.

The work carried out by the Committee on the Application of Standards is one of the cornerstones of the ILO's mission to promote social justice, and the Committee takes on subjects that can be both complex and difficult. That it should succeed in finding solutions through consensus testifies to the approach of all those involved, both the constituents and the secretariat. Many thanks and warm congratulations to all.

**STATEMENTS CONCERNING COMPLAINTS MADE BY
DELEGATES TO THE 105TH SESSION (2016) OF THE
INTERNATIONAL LABOUR CONFERENCE UNDER
ARTICLE 26 OF THE ILO CONSTITUTION**

The PRESIDENT

I now understand that some delegates wish to take the floor regarding the submission of complaints of non-observance of ratified Conventions under article 26(4) of the ILO Constitution.

Original Spanish: Mr ARELLANO CHOQUE (Worker, Peru)

I would like to report that, on behalf of the members of the World Federation of Trade Unions and the General Confederation of Public and Private Sector Workers, I have called on the Governing Body, in my position as an official Workers' delegate to the 105th Session of the International Labour Conference, to establish a commission of inquiry for Chile. This is because, more than 16 years after Chile ratified Conventions Nos 87, 98, 135 and 151, it has yet to apply the Conventions and continues to violate the principles of freedom of association.

In line with the principles of class solidarity, we support our brother workers in Chile. On 9 June, we submitted a complaint containing 543 pages of cases and annexes, in accordance with article 26(4) of the ILO Constitution. Over the years, the ILO bodies have issued a number of observations and requests to Chile, which, however, has not taken account of these observations in its legislation or in its practice. On 9 May, the Constitutional Court of Chile declared it unconstitutional for trade unions, where they exist, to represent the workers in collective bargaining. In addition, it does not recognize the authority of the Committee on the Application of Standards or of the recommendations made by the ILO.

We hope that the Governing Body will appoint the members of the commission of inquiry as quickly as possible, and we hope that the commission will accept the representations of the members of the World Federation of Trade Unions and hold a meeting with them.

The PRESIDENT

I understand that this is a complaint of non-observance under article 26(4) of the Constitution of the ILO against the Government of Chile. It will be referred to the Officers of the Governing Body for appropriate action.

If there are delegates who wish to take the floor to respond to this submission, I would remind them of this process which permits debate of the issues at a later date.

Original Spanish: Mr LAZO (Government, Chile)

I would like to exercise my right of response. We have asked for the floor in order to refer to the statement made by the General Confederation of Workers of Peru and the World Federation of Trade Unions on the alleged lack of compliance of Chilean legislation with Conventions Nos 87 and 98. This complaint

was presented in solidarity with Chilean trade union organizations.

In Chile, the Government, the trade unions and the employers' organizations are all working hard to find a solution through tripartite dialogue and with the relevant political stakeholders in order to conclude an agreement which will help us to remove obstacles to the labour reform under way. This is very important for the President of Chile, Ms Michelle Bachelet. This was also welcomed yesterday in a public statement by the ILO Director-General, Mr Ryder. The efforts made have received the support of the ILO and a roadmap has been put together for that purpose for immediate use.

Chile has the greatest respect for the democratic exercise signified by the supervision of standards by the ILO bodies. Nonetheless, these mechanisms must be used with due consideration and we therefore feel that the request for a commission of inquiry at this time is not appropriate. We will of course present more detailed arguments after closer scrutiny of the case.

The PRESIDENT

The complaint against the Government of Chile has been duly noted and the Officers of the Governing Body will be duly informed.

I understand that a delegate now wishes to take the floor regarding the submission of a complaint against the Government of the Bolivarian Republic of Venezuela under article 26(4) of the Constitution.

Original Spanish: Ms LEGUIZAMÓN (Worker, Paraguay)

As a delegate for the workers of the Republic of Paraguay, I would like to express our support for the complaint concerning the violation of Conventions Nos 87, 95 and 111 by the Government of the Bolivarian Republic of Venezuela.

This is because the members of the autonomous and independent trade union confederations of this brother country – historic organizations in the social and trade union fabric of Venezuela – have once again been discriminated against and excluded from the national delegation to the 105th Session of the International Labour Conference.

Offering support and solidarity to our fellow workers, I would like to say that all citizens throughout the world should listen to their voices and pay attention to their just demands, with a view to ensuring respect for their right to freedom of association, to non-discrimination and to fair wages to meet their essential needs, the fruit of honest work – as provided for in the international labour standards which have been ratified but not observed by the Government of the Bolivarian Republic of Venezuela.

We would like a commission of inquiry – established in accordance with article 26 of the ILO Constitution – to visit the country and see for itself the situations which have been reported and substantiated by the complainant organizations, with a view to suggesting and recommending the necessary corrective action. This would enable the strengthening of institutions and democracy in Venezuela and the improvement of living and working conditions, thereby ensuring the progress of the country and putting an end to the deteriorating conditions currently faced by its inhabitants.

The PRESIDENT

I understand that this is a complaint of non-observance under article 26(4) of the Constitution against the Government of the Bolivarian Republic

of Venezuela. It will be referred to the Officers of the Governing Body for appropriate action. It has been duly noted and the Officers of the Governing Body will be duly informed.

Once again, before opening the floor to those who may wish to comment on this article 26 complaint, I would remind you that the ILO has a process for dealing with these issues and I would also advise you to maintain polite and parliamentary language in your interventions.

Original Spanish: Mr RIVERO (Government, Bolivarian Republic of Venezuela)

We reject the request for a commission of inquiry against our Government, which has been made here under article 26 of the ILO Constitution. The arguments put forward in this complaint come as no surprise to my Government because they coincide with allegations that have been made by some Workers' delegates within the Committee on the Application of Standards, in full coordination with the Employers' delegates who have always acted against the Government of the Bolivarian Republic of Venezuela.

With this complaint, these delegates are clearly trying to give the impression that they are representing and protecting the workers. However, they are not trying to uphold the tenets of decent work but to openly represent some employers who at all times are seeking to assert their political, partisan and capitalist interests and exploit the real workers.

These "pseudo-worker" arguments can be seen in other complaints and procedures pending before this Organization, and relate to the same facts that were discussed at this session of the International Labour Conference within the Committee on the Application of Standards, whose report and conclusions have already been adopted here in this very plenary. The Government of the Bolivarian Republic of Venezuela has stated and has shown that all these allegations are groundless and full of untruths, they reflect personal interests and are biased against our Government.

The Government of Venezuela will provide all necessary replies and will continue to demonstrate that the allegations contained in this new complaint are unfounded. The Government of the Bolivarian Republic of Venezuela thus rejects the requested establishment of a commission of inquiry and asks for this statement to be included in the record of the meeting.

Original Spanish: Mr CAJIGAS (Worker, Uruguay)

In the PIT-CNT, the Uruguayan workers' organization that I represent, we have a custom: When the employers (the capitalists) say that we are right and that we are doing things well, we begin to have another look at our actions, suspecting that we have got it wrong somehow. The Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS), the organization of employers and capitalists in Venezuela, last year requested the application of article 26 of the ILO Constitution to Venezuela. The same organization is undermining the internal market of Venezuela, causing inflation; the immediate consequence is the loss of purchasing power among the most vulnerable groups of workers. Now, the Committee on the Application of Standards has asked the Government to accept a mission being sent to Venezuela and to ensure the es-

establishment of tripartite dialogue, but there is still insistence on the FEDECAMARAS request for the application of article 26.

We can only conclude that either the organization now seeking the application of article 26 should review its actions because it is certainly wrong, or it is doing the bidding of the capitalists from FEDECAMARAS. In any event, we reject the request for the application of article 26 of the ILO Constitution against Venezuela, as there are already proposed instruments related to this case, which we consider to be simply a media-oriented political manoeuvre which the delegates here present should not have to be subjected to.

*Original Spanish: Mr CASTILLO SANTANA
(Government, Cuba)*

My delegation feels duty-bound to take the floor to express its deep concern about the unfortunate precedent which is being created with the submission of this complaint against the Government of the Bolivarian Republic of Venezuela.

In the critical statements that we heard in the discussion of this case in the Committee on the Application of Standards, nobody put forward any truly convincing arguments regarding a serious violation of Convention No. 122. An artificial case was being built of a violation which does not actually exist. Consequently, in the complaint presented now, we see an unethical insistence on trying to involve this Organization in a political campaign against a sovereign government and it is our duty to sound the alarm.

We wonder why, in the Committee's debate and in this plenary now, the complainants did not refer to the causes of and those responsible for the economic warfare which the enemies of the Bolivarian revolution have been waging against a legitimately elected government, and why they claim that the world should forget the 2002 coup d'état against President Hugo Chávez, or the subsequent sabotage of the oil industry, or the repeated violence instigated by the supporters of the coup and their allies in and outside the country. Such thinking is mistaken because the real people do not forget. The reactions of many delegations during the Committee discussions are evidence of this and these reactions cannot simply be ignored.

The Government delegation of the Republic of Cuba would like to clearly state for the record that it firmly rejects this further attempt at escalation of a case for clearly political purposes. We also express our full support for the Bolivarian revolution, its government and its working people.

Original Spanish: Mr LÓPEZ (Worker, Bolivarian Republic of Venezuela)

Speaking on behalf of the Bolivarian Socialist Workers' Confederation of Venezuela (CBST), I wish to make it clear that our confederation was founded in 2012. All the largest workers' federations at that time dissolved their links with the "historic" workers' movement in Venezuela and we set up a new confederation whose membership now accounts for 60 per cent of unionized workers in Venezuela. It is the most representative and largest organization and the one that has the closest real links with the class interests of workers in Venezuela.

In Venezuela we have the Basic Act on Labour, which was adopted in 2012. We believe that this is the best law that exists, at least in the region of South

America, and it fully respects Conventions Nos 87, 95 and 111. We therefore categorically reject this complaint against our revolutionary government and we feel that this is only part of a national and international attack by political factors trying to undermine our Bolivarian revolution, which champions the defence of workers' rights, and seeking to remove pro-worker President Nicolás Maduro from power.

This complaint is further shameful evidence that there are Workers' delegates who are failing in their obligations to represent workers genuinely, are working under the instructions of their employers and are representing their capitalist interests geared to exploitation of the workers, as we saw in the discussion in the Committee on the Application of Standards at this session of the Conference.

Original Spanish: Ms CHACÓN BRAVO (Worker, Cuba)

Times have changed in the Bolivarian Republic of Venezuela. The trade unions which were once in a majority are now in a minority because workers have found in the CBST and its affiliates the true representatives of the workers. They have ensured that they have been part and parcel of a process which, for the first time, has recognized them as the true owners of the country's resources. These organizations and their affiliates continue to apply all of the provisions of Convention No. 87 under the Government of Venezuela. For this reason and on the basis of other compelling arguments expressed here, Cuba would like to support the statements by the trade unionists and other organizations who have spoken in this room by rejecting the accusation that Convention No. 87 and the other Conventions mentioned are being violated and also by rejecting the request made by FEDECAMARAS calling for a commission of inquiry against the Government of the Bolivarian Republic of Venezuela.

This is nothing more than a further attempt to keep Venezuela on the list of cases every year. As has been reiterated here, there is no doubt that the subject of the Bolivarian Republic of Venezuela is political as well as technical.

Original Spanish: Mr ZEPEDA MARTÍNEZ (Worker, Honduras)

As was said in the meeting of the Committee on the Application of Standards, we think that this is a political situation which should not be allowed at the ILO, given that there are very serious problems in other countries which were not addressed and, strangely, the Bolivarian Republic of Venezuela appeared on the short list of cases.

In my view, we need to take account of the cases submitted and bear in mind the message that we heard from India on the huge problems that exist and that need to be resolved in the context of the ILO together with employers and governments. We must not allow ourselves to be distracted by political situations that are detrimental to governments and work in favour of persons and organizations guilty of maintaining scarcity in a country, as is the case with the Bolivarian Republic of Venezuela.

I think the time is ripe for the ILO to reconsider this situation.

TRIBUTE TO MS NDÈYE AISSATOU NIANG

The PRESIDENT

As participants are no doubt aware, the Conference has been saddened by the loss of our sister delegate,

Ms Ndèye Aissatou Niang, a Worker member of the delegation of Senegal, who died last Tuesday, 7 June. I should therefore like to call on the Conference to mark a minute's silence in remembrance of, and respect for, our late sister, Ndèye.

(The Conference observes a minute's silence.)

Original French: Mr CORTEBEECK (Chairperson of the Workers' group)

The Workers' group is in mourning; Ms Niang, a Workers' delegate from Senegal, passed away this week in Geneva. On behalf of the Workers' group, I would like to offer our sincere condolences to her family, her colleagues and the delegation of Senegal.

I would like to request, if I may, that Ms Konate, a Workers' delegate from Senegal, be given the floor to pay tribute to the colleague we have lost.

Original French: Ms KONATE (Worker, Senegal)

On behalf of the delegation of Senegal, I would like to thank the Conference and the delegates for their expression of condolences to the Senegalese delegation following the passing of our colleague, Ms Ndèye Aissatou Niang.

Our sister entered the trade union movement very early on. She was the president of the women's committee of the National Confederation of Workers of Senegal (CNTS/FC). She was known for her commitment and her courage in all of our struggles, in particular for the promotion of women in the trade union movement. She was a great advocate of the network of working women in Senegal. She also played a key role in the preparations for and the success of the Women's Conference of the International Trade Union Confederation (ITUC) and of the ITUC–Africa Congress in Dakar, Senegal.

We have lost a great colleague. She has left a huge gap, for us and her family. We pray that her soul rests in peace. Thank you very much for your solidarity.

Mr RØNNEST (Chairperson of the Employers' group)

On behalf of the Employers' group to the International Labour Conference, I would like to join the condolences extended by the Workers' group and by the delegation of Senegal, to her family and colleagues, and to the delegation of Senegal.

CLOSING STATEMENTS

The PRESIDENT

The Conference has now come to the end of its business and has achieved its goals, and it is time for us to move to our closing ceremony.

I shall call on each of my fellow Officers to make their concluding remarks to our assembly.

*Original French: Mr MANZI
(Worker Vice-President of the Conference)*

It is an honour for me to take the floor on behalf of the Workers' group in this august setting, the Assembly Hall. I would like to thank the Workers' group for the faith it has placed in me in allowing me to take up the position of Worker Vice-President at this 105th Session of the International Labour Conference. I would also like to pay tribute to the President of our Conference, the Labour Minister for South Africa, Ms Oliphant, the Government Vice-President, Mr Morales Quijano, and the Employer Vice-President, Mr Echavarría, for the excellent cooperation that we have been able to enjoy over these last two weeks.

The Workers' group welcomes the adoption of the resolution on advancing social justice through decent work. The evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008, has confirmed the importance of the Declaration and the political commitment of the ILO constituents to achieving the established objectives, putting decent work at the heart of economic and social policies on the basis of the four strategic objectives of employment, social protection, social dialogue and tripartism, as well as fundamental principles and rights at work.

Since the adoption of the Declaration in 2008, fundamental principles and rights at work and also social dialogue have all too often been left out of strategies for implementing decent work. For that reason we welcome the fact that the resolution emphasizes the importance of an integrated approach to decent work for all based upon the four strategic objectives, which is also clearly integrated into the goals of the 2030 Agenda for Sustainable Development.

The economic and financial crisis showed that governments' responses, often in the face of pressure from global and regional economic and financial institutions, weakened workers' rights and social dialogue in a number of countries. That is why we welcome the ILO's readiness to develop a strategy for the promotion of its values, its mandate and its standards in these institutions. Member States are called upon to promote greater policy coherence in integrating decent work in national policies through consultations with the relevant ministries and the social partners. At the same time, States are invited to step up their efforts to ratify and apply the fundamental and governance Conventions.

It is now up to the ILO Governing Body to ensure that the priorities in the resolution are converted into action through the next Strategic Plan, the Programme and Budget for 2018–19, and the commitment of Members to this path. When that is done, the Workers' group is sure that an important step towards our shared objective of decent work for all will have been achieved.

The Committee on Decent Work in Global Supply Chains faced huge challenges, and I am delighted to say that it was equal to the task. Discussions were not always easy, but the spirit of social dialogue that characterizes the ILO prevailed and the Committee reached consensus-based conclusions. We can all be proud of the outcomes.

The conclusions recognize the positive contribution of supply chains to the global economy while also acknowledging that such supply chains have created a permissive environment for violations of labour standards; failure to respect decent work is common. The conclusions call on governments to strengthen their labour inspection systems and to promote social dialogue and fundamental principles and rights at work, including freedom of association and collective bargaining. The conclusions also ask enterprises to put into place measures that reflect the UN Guiding Principles on Business and Human Rights, to implement due diligence and to promote decent work within their supply chains.

The discussion also recognized the importance of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy as a framework for maximizing the positive impacts of multinational enterprises and resolving the negative impacts.

Furthermore, the conclusions reflect a consensus on the need to promote cross-border forms of social dialogue, including framework agreements, as measures which can protect vulnerable workers, regardless of their employment status. This outcome also paves the way for future ILO action, starting with a Meeting of Experts, and leaves the door open for further measures, including the possibility of new standards, for promoting decent work in supply chains.

The Committee on Employment and Decent Work for the Transition to Peace, tasked with revising the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), worked for extremely long hours with intense debate in order to deal with more than 350 amendments. It soon became clear that the constituents had definite and sometimes divergent opinions on specific issues, whether in relation to the preamble, the definitions of the principles or the measures to be taken. Two very important areas for the Workers' group were vulnerable groups and refugees, displaced persons and returnees. There was no agreement found on these points and so they had to be put in brackets. Despite the difficulties, the Committee worked well and is in a good position for a second reading of the draft instrument in 2017 on the basis of a new text that will reflect the wealth and quality of this year's discussions, and also the outcomes of the ILO tripartite meeting.

This year, the Committee on the Application of Standards was once again able to consider a list of 24 cases. The Workers' group regrets that countries such as Turkey, Egypt and Algeria, where trade union freedoms have lost ground, did not appear before the Committee this year. Many cases were concerned with freedom of association and collective bargaining, which is not surprising in view of the violations of trade union rights in many countries, including the United Kingdom and Ireland. Our group welcomes the content of the conclusions, which give clear guidance to governments on the measures to be taken to achieve conformity with the Conventions. The conclusions also included a special paragraph on Bangladesh in relation to Convention No. 87, a high-level tripartite mission for Zimbabwe in relation to Convention No. 98, and direct contact missions in a number of countries, including Swaziland, Kazakhstan, the Philippines, Indonesia, Cambodia and Mauritania.

In conclusion, allow me to pay tribute to the work of Mr Perrin, the Clerk of the Conference, and his team for their excellent support. I would also like to thank the interpreters, without whom communication between us would be impossible.

*Original Spanish: Mr MORALES QUIJANO
(Government Vice-President of the Conference)*

Two weeks have passed since the opening of the 105th Session of the International Labour Conference. This is an opportunity for me to congratulate the President and the other Vice-Presidents for the impeccable conduct of the plenary sessions, and also the Secretary-General, Mr Ryder, and his team for the excellent organization of this session of the Conference.

I would also like to bear witness, on behalf of the Government group, to the respect for the principles for which the International Labour Organization was created. These principles envision the ILO as an organization that should raise awareness about social

justice, which is essential to the achievement of lasting universal peace. The Organization's work has been and continues to be constant, productive and creative, as seen from the fact that it has become one of the most successful multilateral agencies.

We are approaching the celebration of the centenary of the ILO and, as was so clearly expressed in 1969 by the Chair of the Nobel Prize Committee when the Nobel Peace Prize was awarded to this Organization, I can state that: "the ILO has had a lasting influence on the legislation of all countries" and has been "one of the institutional creations of which the human race can be proud".

The ILO now has 187 member States and endeavours to ensure that its standards are respected, both as principles and in practice, in order to transform into reality the desire for decent and productive work for women and men in conditions of liberty, equality, safety and dignity and with social protection. These are the objectives that are pursued with the strengthening of tripartite meetings and through social dialogue.

The participants at this 105th Session of the Conference include Heads of State, Ministers of Labour from member States and workers' and employers' representatives, who have all been committed to high-level social dialogue and have made progress in the various committees that have examined technical matters that were decided upon by the Governing Body at its March 2016 session and adopted by the Selection Committee of this session of the Conference.

Once again, it has been reaffirmed that the ILO is the forum par excellence for giving full voice to all stakeholders in the world of work. This is a process that requires tenacity, effort and engagement in order to create a world of decent work and social harmony, which are the best vehicles for achieving genuine development and eradicating poverty.

At the opening of this session of the Conference, we heard Mr Ryder present his Report entitled *The End to Poverty Initiative: The ILO and the 2030 Agenda*. This document examines the responsibilities and opportunities of the ILO and its constituents with regard to the sustainable development promoted by the United Nations. Goal 8 of the 2030 Agenda for Sustainable Development is to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all", without neglecting the vision of the future of work, which is included in the 17 goals of the 2030 Agenda. This is an integral part of all poverty eradication initiatives.

In recalling the work of this session of the Conference, I would like to begin with the Committee on the Application of Standards, which is the backbone of the ILO. We welcome the examination of its working methods and the discussion of general aspects of the application of Conventions. This led to important recommendations and to an insistence that member States meet their obligations under the ILO Constitution.

The Committee's General Survey provides a detailed analysis of the migrant workers instruments and considers UN statistics showing that in 2015 there were 243 million international migrants in the world, about 3 per cent of the global population. This demonstrates that international labour migration is a matter of great importance and ranks high in international, regional and national policy. The Committee

members had an opportunity to analyse the motivations, objectives and scope of the migrant workers instruments, identify problems that hinder their ratification or full application, and fully understand their potential.

The Committee examined 24 cases on the application of Conventions that have been ratified. This was done on the basis of observations contained in the report of the Committee of Experts. The invited Governments presented information on their specific cases in the light of their circumstances, and recommendations were made and possibilities for technical assistance offered.

Turning to the Committee on Employment and Decent Work for the Transition to Peace, which discussed the revision of the Recommendation on the organization of work, namely, the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), constituents demonstrated their interest in helping to end the many conflicts throughout the world and to consolidate peace and stability. The revision with a view to standard-setting through the double-discussion procedure will considerably strengthen the applicable legislative framework in this area.

Another committee in which there was lively debate is the Committee on Decent Work in Global Supply Chains, which held a general discussion. We all understand that global supply chains have become a common means of organizing investment, production and trade in a globalized economy. Governments, workers and employers alike recognize the importance of global supply chains in general, and particularly for developing countries. Global supply chains have created employment and new opportunities for economic and social development. However, it can be seen that the dynamics of production and employment relationships in the world economy, including in some global supply chains, may have a negative impact on working conditions. This is a genuine challenge if we are to achieve decent work where there are deficits, and will require the adoption of measures at the international level. The general discussion unquestionably provided Members of the ILO with valuable insights into how investment, production and trade are organized in the world economy through global supply chains.

The Committee for the Social Justice Declaration, which evaluated the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008, examined the impact of one of the most important ILO instruments. It should be borne in mind that the Declaration was the result of broad consensus on the profound transformation occurring in the world of work, which required a contribution from the ILO in order to achieve fair and satisfactory results. The Declaration enshrines the concept of decent work and establishes an integrated approach to making it a reality, based on the four strategic objectives arising from the constitutional mandate of the ILO. In their evaluation, the constituents examined the changing global, social and economic context in which measures have been taken with a view to implementation of the 2008 Declaration, made observations on the global effect of such measures and considered the potential repercussions of future measures.

At this 105th Session of the International Labour Conference, we reaffirmed that the Social Justice Declaration is now more important than ever in addressing global, regional and national challenges and

will have a decisive impact on implementation of the 2030 Agenda.

At this session of the Conference, we also approved the amendments to the Code of the Maritime Labour Convention, 2006, adopted by the Special Tripartite Committee established under the Convention, which is extremely important for my country, Panama.

Another highly significant part of this session of the Conference was the commemoration of the World Day against Child Labour and the initiatives of the ILO through its International Programme on the Elimination of Child Labour. Subsequently, the World of Work Summit on the theme of youth employment demonstrated the pressing need for policy-making on this issue.

Lastly, I would like to thank the Ambassador of Japan, Ms Kaji, Chairperson of the ILO Governing Body, for her comprehensive report on the period 2015–16, during which she achieved tripartite consensus on some notoriously complex matters.

*Original Spanish: Mr ECHAVARRÍA
(Employer Vice-President of the Conference)*

I would like to thank the Employers' group for the opportunity to represent it as Vice-President of this session of the Conference. It is an honour for my region and a commitment to strengthening tripartism and social dialogue, which are at the heart of this Organization.

With regard to the content and conduct of this session of the Conference, I would like to emphasize that the discussions and outcomes have been consolidated into a two-week period. The days have been long, but we have learned, during this second trial year on this schedule, that with the dedication and commitment of the Governments, Workers and Employers, we can achieve tangible results.

The themes which the Conference has addressed and the results presented at this plenary meet the expectations of the Governing Body and the Employers' group.

Although the Employer spokespersons of the different committees have already spoken in detail about the principal issues discussed and agreed in each of them, I would like to highlight a few main points.

First, with regard to the evaluation of the impact of the Social Justice Declaration, the Committee identified the steps to be taken in order to improve the implementation of the Declaration and make progress towards the four strategic objectives in order to adapt them to the changing needs of the world of work. In that regard, the report contains information to enable the Governing Body to evaluate and provide guidance on future action to be taken in the recurrent reports in the coming years.

Second, turning to global supply chains – a most topical matter – different positions came together to agree to hold a further meeting in the coming year, and identified specific action to be taken by constituents and the Office. The Governing Body was also invited to consider the best way to review standards so as to better achieve decent work in supply chains.

Third, in the Committee on Employment and Decent Work for the Transition to Peace, agreement was reached on a document that meets current needs. That document, which includes a resolution on strategic approaches; rights, equality and non-discrimination; employment generation; education and vocational training; social protection; and social dialogue,

among other things, will provide opportunities to those affected by conflicts and wars. When we revisit the matter in the Conference next year, we will be able to consolidate this text and fine-tune the most important areas for action.

Fourth, the Committee on the Application of Standards harmonized the way in which the General Surveys are discussed and how individual cases are prepared, with conclusions agreed by the Employers and Workers in each case. This has been the fruit of the trust and constructive spirit displayed by constituents.

Fifth, the Credentials Committee did an excellent job, made it possible to address and resolve delegations' representations and complaints. The Employers would like to highlight its success and express appreciation for its handling of these matters.

Lastly, the Selection Committee correctly resolved issues so that we could work in a timely manner and produce all of these results. There are other things, of course, which were achieved during the Conference which I would have liked to mention, but time is short.

The plenary discussions were conducted with respect and using the parliamentary language that characterizes this house, which meant that our sittings were held in an orderly and timely manner.

In closing, I would like to thank the President for her leadership and guidance. I would also like to thank the Office and the secretariat of the Conference for the continuous support that it provided so that we could carry out our tasks.

The SECRETARY-GENERAL OF THE CONFERENCE

As we come to the end of this 105th Session of the International Labour Conference, I am very pleased to have this opportunity to share with you some thoughts about the work that we have done and the results that it has produced.

When I spoke at the opening sitting, for those of you who can remember that far back, I said two things which I want to recall now.

The first was that we should never lose sight of the extraordinary nature of this, our world parliament of labour. Its global reach, its tripartite composition and its culture of dialogue make it truly unique.

And let me tell you that this year we accredited no fewer than 5,982 participants – that is the most ever – and they included 172 ministers, vice-ministers and deputy ministers. We welcomed the President of our host country, Switzerland, on the first day of our work, and the President of the European Commission just yesterday. And we must not end our work without offering a warm welcome to the ILO's newest, and 187th, member State, Tonga, which has been participating at this session of the Conference for the very first time. Welcome to Tonga.

All of this is evidence that our Conference this year has lived up – and lived up fully – to its historic traditions and to its responsibilities. But we know that, in the final analysis, we will be judged by the results we have achieved, and that brings me back to the second thing I said at the opening: that our agenda presented us with major challenges, and our timetable meant that we would have to meet those challenges quickly and efficiently to reconcile democratic decision-making with efficiency.

I think that the reports that were adopted yesterday and today show that you did it, and you are to be congratulated on your achievement.

In the course of the last two weeks, I have personally met with many ministers and many of them have told me how difficult reform is. And the ILO's own experience confirms that, indeed, reform is difficult. But we are seeing too that when reform is done right, with everybody on board, then the results can be really positive and our Conference, I think, is proof of that. Yes, we have all worked hard. Maybe some of you have worked too hard for the limits of decent work. But, as one delegate has tweeted – we have had a lot of social media activity around the Conference – this is the place where we work 14 hours a day to make sure that other people in other places do not have to work 14 hours a day.

And that is the spirit of what we have been doing.

I think the two-week Conference is here to stay, and I think that its benefits are surely evident to us all, not just in terms of efficiency, but also as shown by the number of all of you who are still in the hall as we come to the end of this session of the Conference's road.

In the Office, we continue to learn and we continue to innovate. Next week, I will be sitting down with my colleagues to see what we need to do to change what needs to be changed and improve what needs to be improved.

In that regard, yesterday's World of Work Summit seems to have been welcomed by all of you. It was lively, it was interactive, it was substantive, and it had the obvious added value of the participation of the brilliant young people who took part in it. So we see that tripartism is not incompatible with openness.

Our Conference needs to be an accurate reflection of the diversity of the world of work. And so, lest we get too carried away with self-congratulation, we all know that we still have a very long way to go on gender. There are still too few women at the Conference. I am afraid that we have been saying that for a long time and I hope that we will not have to carry on saying it for a long time into the future.

Taken together, the agreed outcomes of the Conference's technical committees represent a remarkable capital of achievements which, by virtue of the importance and of the relevance of their subject matter, will feed directly into the future direction that our Organization will take.

It was not easy, I know, for this session of the Conference to reach consensus on global supply chains. But the fact that widely divergent starting points have converged at a common point of arrival means that you have equipped the ILO with the guidance that it absolutely needs to move forward in an area of work where its own credibility requires it to take on a role of leadership.

Many speeches have been made at this session of the Conference about the virtues of tripartism. I have made a few of them myself. But I would contend that the Conference conclusions on global supply chains stand as more eloquent and more convincing testimony to what tripartism can achieve than all of those speeches.

While all of us probably expected the debate on supply chains to be difficult, some of us may have been surprised by the extent of the challenges encountered in the Committee on Employment and Decent Work for the Transition to Peace. With the benefit of perfect hindsight, I think we can now conclude that perhaps we should not have been so surprised. Because in that debate, key and complex questions concerning the labour market impact of refugees and

displaced persons, in particular, which are so prominent in international policy-making and have indeed been taken up by the ILO Governing Body, have come into play at this session of the Conference. And I think they will be at the heart of the unfinished business that will need to be resolved at the second Conference discussion, next year, and we have some milestones on the way to that Conference.

This is going to involve a careful definition of what is, and what is not, properly within the mandate and responsibility of the ILO. But, that said, I think that the foundations for a successful outcome in 2017 have been most ably put in place by those who have worked on this issue at this session of the Conference.

The evaluation of the impact of the Social Justice Declaration of 2008, as we have already heard, has been undertaken in a very harmonious and very constructive manner. Late-night sessions and consequent levels of exhaustion have been less here than in other parts of the Conference. But I want to insist upon the significance of the results that have been achieved. I suspect that, viewed from the outside of the Organization, these conclusions might be slightly more difficult to decode and to appreciate than those of other committees, but in reality they have crucial institutional value for the future work of the ILO. And they will have immediate impact because they will feed into and inform the formulation of the ILO's programme and budget and strategic plan, which will begin in the Governing Body in November.

Once again, the Committee on the Application of Standards has successfully completed its demanding and crucial work and all those involved deserve recognition for the efforts that they have deployed to make this happen. Consensus conclusions have been adopted on all the individual country cases examined and important guidance provided on the basis of the General Survey on the key migration Conventions. And that means not only that the indispensable task of supervision of standards is moving forward – and it must move forward – but also that we are creating space, we are creating time and, I hope, above all, we are creating the confidence that is necessary for progress to continue in the implementation of the Standards Review Mechanism and the rest of the Standards Centenary Initiative.

Another of the centenary initiatives, the End to Poverty Initiative, was the subject of my Report to the Conference, and it is encouraging that no less than 291 interventions on it were delivered here in the plenary.

There are some very clear conclusions to be drawn from this debate. Above all, the UN 2030 Agenda for Sustainable Development, with its heavy emphasis on decent work, is an extraordinary opportunity for us all. It is a signal that the priorities and the strategic direction taken by this Organization are permeating and influencing the international community as a whole. Let us recall, we have set ourselves the goal of making the ILO more relevant and more influential, and here we can see it happening.

Additionally, we have heard the readiness of our constituents – Governments, Employers and Workers – to take their full place in national strategies to implement the 2030 Agenda, which is, let us remember, a universal agenda, applicable to each and every member State present in this room. And I underline that universality does not mean uniformity; each of our countries is different. National ownership is key

to the success of the 2030 Agenda and the ILO's responsibility is to bring together the three keys of tripartism to ensure national tripartite ownership, which, more than anything else, will open the door to the full realization of the decent work dividend inherent in the 2030 Agenda.

But those keys are in your pockets as you travel home to your respective countries. What really matters is what you do next. The ILO's responsibility is, of course, to support your efforts, and we will do that in line with the important guidance that you have provided here at the Conference.

To conclude, the questions that will be put to most of us as we head home after this session of the Conference are: "Well, what did you do these last two weeks in Geneva? What use was it? What difference did it make?" That may be asked by the media, by political actors, by sceptical colleagues, maybe by your family and your friends. But whoever it is, we all need to have an answer, and I believe that each one of us can go home with an answer.

We worked out what needs to be done to ensure that the ever-increasing organization of production in global supply chains contributes to the promotion of decent work. We began the job of delineating the way that decent work can and must contribute to peace and stability in the wake of conflict, crisis or disaster. We agreed on the action that member States must take to meet their obligations to apply ratified Conventions. We refined the world's maritime labour code. We pointed out the way the ILO has to organize its own work to meet the goals that it has set for itself. We drew the world's attention to the situation of workers in the occupied Arab territories and what needs to be done to bring much-needed and much-overdue improvements. And if that were not enough, we set the course for making poverty history by 2030. Not bad for two weeks in Geneva!

We worked hard, we worked long, but we worked well, and for all of that, the whole Conference owes a debt of gratitude to the President, Ms Oliphant, for her authoritative, calm and effective leadership and if I look at the clock, I would say that she even brought to us from South Africa the virtues of Swiss timing. She was aided by a great team, by the Vice-Presidents – Mr Echavarría, Mr Manzi and Mr Morales Quijano – of course, very distinguished representatives and actors in their own groups but, together, a great team which has helped you in your work and which has been a pleasure for all of us in the secretariat to work with. To all of you, thank you, congratulations for what you have achieved and I wish you a safe journey home to your loved ones.

The PRESIDENT

I want to premise my closing remarks by emphasizing that this 105th Session of the International Labour Conference has reiterated that social dialogue remains at the heart of the ILO's structures and policies. We have demonstrated, without doubt, the value of social dialogue as witnessed by the dedication of the delegates in late-night meetings to ensuring the outcomes that were adopted here today.

During the Conference, I had the pleasure of visiting various committees and I want to draw attention to the robust and constructive social dialogue between the social partners, a scenario that was almost diminished two years ago in the Committee on the Application of Standards. During this session, the Committee marked its 90th anniversary, and the ma-

turity of social dialogue in this space is again reflected in the conclusions presented here earlier today. I would like to express my happiness at this progress.

Further celebrating the value of social dialogue, let me congratulate the Tunisian National Dialogue Quartet on being awarded the 2015 Nobel Peace Prize by the Norwegian Nobel Committee. The Quartet paved the way for peaceful dialogue between citizens, political parties and the authorities and helped to find consensus-based solutions to a wide range of challenges across political and religious divides. This is clearly an achievement to be emulated by other countries.

For this session of the Conference to integrate the fundamental ILO principle of tripartism in both its structures and its functioning, it is essential for all delegations to actively participate in its activities. I am thus pleased to note that, during this session, we have again achieved 30 per cent gender representation, but we are still a long way from the desired 50 per cent target. We should not be complacent; this remains critical as we seek to achieve gender parity in all ILO activities. We therefore again urge the social partners to continue to strive for this noble goal.

This session of the Conference has further reconfirmed the continued relevance of the Social Justice Declaration. This is particularly significant given that the Sustainable Development Goals have decent work as a key cross-cutting principle. For development to be sustainable, it has to be just. It has to provide benefits to the majority of the people. Decent work is therefore a key vehicle for transmitting the benefits of development to all in a just and equitable manner.

We are encouraged by the conclusions of the discussions on decent work for peace, security and disaster resilience, which re-emphasized the guiding principles of full, productive, freely chosen and decent employment as vital to promoting peace, preventing crises, enabling recovery and building resilience.

There were tough discussions on the role of the ILO in the transition from war to peace. This proves the centrality of social dialogue and tripartism as abiding principles of the ILO. I commend you all for the spirit of consensus which ensured that we have laid a good foundation for further dialogue. I look forward to the continued discussion in this important area.

The promotion of decent work in global supply chains is a major challenge which this session of the Conference sought to address. The dialogue on how best to address decent work deficits was tough and robust. I want to thank you for making a breakthrough which laid the basis for future dialogue in this area.

The amendments to maritime instruments which we adopted during this session of the Conference contribute positively to the situation of seafarers. I thank you for the overwhelming support you gave to these amendments. They reconfirm the central role of the ILO as the one and only international organization with the mandate for setting minimum standards in the world of work. As we look forward to the centenary celebration of the ILO, we can safely conclude that its role and mandate are as relevant today as they were in 1919.

The World of Work Summit gave us a glimpse into the future. The future of work will be about young people. There is a saying that “If you want a project to be successful, give it to a woman”. We witnessed the leadership of young women as they led the World of Work Summit yesterday. Let us congratulate those young women, in particular, for inspiring us with their vision of the future of work!

Let me conclude by again expressing my gratitude, and that of South Africa, the Southern African Development Community (SADC) and Africa, for having been given this glorious opportunity to chair this 105th Session of the Conference. We express our heartfelt thanks to the various delegations who afforded us their respect, to the translators and the ILO administrative staff for their support in all Committees and, specifically, to those who assisted me in my office and also, in particular, Mr Perrin, so that I was able to run this session of the Conference accordingly.

It is impossible not to notice the benefits of the subtle, but significant, changes that the Director-General has introduced since taking office in 2011. It is also becoming evident that, with time, the new approaches and the vision of the Director-General and his team will contribute to increasing the impact of ILO interventions. As such, South Africa is inclined to support his candidature for a second term and will reflect on this in due course.

In closing, it really gave me great pleasure to be called “Madam President” and I want to thank all of you for being such a wonderful audience.

The SECRETARY-GENERAL OF THE CONFERENCE

We are an old organization and we like our traditions, even as we try to change. The tradition is the presentation at the end of a conference of this engraved gavel, the symbol of authority, to the President of the Conference, who will carry back to South Africa our respect, our appreciation and our deep friendship.

The PRESIDENT

I declare the 105th Session of the International Labour Conference closed.

(The Conference adjourned sine die at 5.40 p.m.)

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