



## Second and fourth plenary sittings

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## **Second sitting**

Wednesday, 7 June 2017, 10.15 a.m.

*President: Mr Carles Rudy*

## **Principles governing the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General**

### **The President**

*(Original Spanish)*

It is my great honour to declare open the second sitting of the 106th Session of the International Labour Conference.

This morning, we shall begin with the presentation of the report of the Selection Committee, contained in *Provisional Record* No. 3. Mr Mudyawabikwa of the Republic of Zimbabwe, Chairperson of the Selection Committee, will present the report. We shall then move on to the general discussion on the Report of the Chairperson of the Governing Body, contained in *Provisional Record* No. 1; the Director-General's Report entitled *Work in a changing climate: The Green Initiative*; and the Appendix on *The situation of workers of the occupied Arab territories*. As you will recall, both the Reports and the Appendix were presented in plenary on Monday of this week.

I urge you to consult the *Conference Guide*, available on the Conference website and at the distribution desk, where you will find full details on the programme for the plenary. Of course, I also remind you that the *ILO Events App* for your mobile devices will inform you of any change in the programme.

Before starting the discussion, I should like to make the following statement, on behalf of all the Officers of the Conference, to remind you of the principles which we must uphold in our debate. These principles were established by the Working Party on the Programme and Structure of the ILO, approved by the Governing Body and communicated to the Conference in 1967. They remain fully valid. You can find them in paragraphs 54–58 of the fourth report of the Working Party.

The Officers of the Conference wish to draw the close attention of all delegates to paragraph 58, which reads: "In periods of acute political tension, the ILO has a twofold responsibility – to uphold the values of human freedom and dignity enshrined in its Constitution, and to circumscribe rather than extend the area of international tension by ensuring the fullest possible degree of continued cooperation in pursuit of the objectives of the ILO." Every delegate to the Conference must keep these considerations constantly in mind.

The debates of the International Labour Conference must not encroach on what is being discussed by the Security Council and the General Assembly of the United Nations in New York, which have responsibility for political decisions under the Charter of the United Nations. The Officers of the Conference are committed to ensuring that these principles are upheld and I should like to ask all delegates to comply with them.

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I rely on your cooperation so that we can conduct our discussions with the openness and dignity that are appropriate to the highest international body in the realm of social and labour-related matters.

Freedom of expression is a vital feature of the ILO and in order to exercise this freedom in a spirit of mutual respect, it is essential that all delegates use parliamentary language, respect the accepted procedure, refer only to the items under discussion and avoid raising any questions foreign to these matters. This discipline is essential if we want our work to be effective and successful.

Please note that the duration of speeches is limited by the Standing Orders of the Conference to five minutes only, corresponding to approximately three typewritten double-spaced pages. This time limit will be strictly applied. It is therefore strongly recommended that delegates reduce courtesies to a minimum. The lectern is equipped with a timing device which allows speakers to see how much time they have left. A bell will sound once the time limit is exceeded. With a view to transparency, and because respect for time-keeping is a collective responsibility, the timing display is also projected onto the two screens facing the plenary hall so that delegates in the room are able to see the remaining speaking times as well. This will also enable delegates speaking further down the list to see how fast progress is being made and to prepare themselves to make their presentations.

I should point out that this strict time limit does not apply to the statements by the Employer and Worker Chairpersons as they open the general debate with their group statements.

Every delegate will have the right of reply if he or she feels there is a need to respond in the event that his or her Government has been challenged. In such cases, delegates must inform the President of the sitting, before that sitting finishes, that they wish to exercise the right of reply. Please make such requests by coming up to the podium and informing the Clerk. The Clerk will transmit the request to the President, who will then agree with the delegation concerned on a time at which the reply may be made. The reply should refer only to the point under debate. It should not exceed two minutes and should be delivered in correct parliamentary language. Please bear in mind that it is not practice in our Organization to allow replies to a reply.

May I take it that these arrangements are agreeable to the Conference?

*(It is so decided.)*

## **Report of the Selection Committee: Presentation and noting**

**The President**  
*(Original Spanish)*

We shall now turn to the presentation of the Report of the Selection Committee, contained in *Provisional Record* No. 3. I call on the Chairperson of the Selection Committee, Mr Mudyawabikwa of Zimbabwe, to take the floor from the lectern and present his report.

**Mr Mudyawabikwa**  
Chairperson of the Selection Committee

It is my honour to present the report of the Selection Committee which met on Monday immediately after the special sitting. The report is contained in *Provisional Record* No. 3.

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One of the principal functions of the Selection Committee is to ensure that the day-to-day running of the Conference goes ahead smoothly. For this purpose, the Committee endorsed a tentative plan of work for the Conference. You will find this reproduced in the report, which of course remains tentative as necessities may arise calling for flexibility. The Selection Committee will continue to oversee the Conference programme over the next ten days.

Of great importance is the fact that the Committee requested me and my fellow Officers to send a strong message to the Officers and secretariats of all Committees and indeed to all present at the Conference to be punctual and to respect timekeeping. The Committee noted that this was all the more important as the Conference is operating in a shortened time frame and was mindful of the fact that this year's session includes the second discussion of a draft Recommendation, the consideration of the draft Programme and Budget for 2018–19, as well as the Governing Body elections.

The Committee also considered item VII on the Conference agenda which has been delegated to it by the Conference. This is in respect of the abrogation or withdrawal of the six Conventions listed in section 5 of the Conference report. For this purpose, it had before it Report VII(2). These Conventions are instruments that, with the passage of time, have lost their purpose or no longer make a useful contribution to the attainment of the objectives of the Organization.

They include, among others, Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15), which regulates the minimum age of trimmers and stokers, long-gone occupations on board steamships, and the Night Work (Women) Convention, 1919 (No. 4), and the Night Work (Women) Convention (Revised), 1934 (No. 41), which forbid night work for women in industry, widely seen today as contrary to the fundamental principles of gender equality and non-discrimination.

In their overwhelming majority, the tripartite constituents whose replies are summarized in Report VII(2), agreed that the six Conventions have lost their purpose and no longer make a useful contribution to the attainment of the objectives of the Organization, and accordingly they supported abrogation.

The Committee noted that the procedure set out in the Standing Orders had been fully respected, especially in terms of tripartite consultations, and unanimously recommended that the Conference take the preliminary decision, referred to in paragraph 3 of article 45bis of the Standing Orders, to submit the formal proposal for the abrogation or withdrawal of each of the six Conventions, which you will find set out in Appendix III of the report, to a final vote.

The President of the Conference will put this proposal to the Conference formally in a few moments. The Selection Committee further recommended that, should the Conference adopt the preliminary decision, the final vote on abrogation or withdrawal would be held on Wednesday, 14 June.

Finally, the Selection Committee took a number of other decisions in respect of the organization of the Conference, and these are set out in the report.

I should like to close with a word of thanks to my fellow Officers, Mr Matsui for the Employers and Mr Cortebeeck for the Workers, with whom I am looking forward to working for the rest of the Conference.

With that, I submit the report of the Selection Committee to the 106th Session of the Conference.

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**The President**  
(Original Spanish)

As the Chairperson of the Selection Committee stated at the opening sitting, the Conference has delegated the discussion of agenda item VII to the Selection Committee. To that end, the Committee has made recommendations that require a decision from the Conference.

A vote to abrogate or withdraw these six Conventions would mark the culmination of an ambitious process that was initiated some 20 years ago with the adoption of the 1997 Instrument for the Amendment of the Constitution of the International Labour Organisation. Although the Conference has withdrawn outdated international labour Recommendations and Conventions that had never entered into force on three occasions, in 2000, 2002 and 2004, this is the first time that it will abrogate international labour Conventions in force.

Until now, the ILO's supreme legislative body has not had the capacity to terminate the legal effects of outdated Conventions; it could only adopt new revised standards on subjects covered by existing Conventions. The entry into force of the 1997 constitutional amendment has filled this gap and should be seen as a landmark institutional development as the ILO approaches the centenary celebration of its foundation. This constitutional amendment, together with the recent activation of the Standards Review Mechanism, reinforces the ILO's efforts to ensure that it has a clear, robust and up-to-date body of international labour standards which serve as a global reference.

May I therefore take it that in the light of the Report of the Selection Committee, the Conference wishes to decide by consensus to submit the following proposals to a final vote to be held on Wednesday, 14 June 2017, as set out in Appendix III to *Provisional Record* No. 3?

***Abrogation of the Night Work (Women) Convention, 1919 (No. 4)***

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

***Abrogation of the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)***

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

***Withdrawal of the Protection against Accidents (Dockers) Convention, 1929 (No. 28)***

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

***Abrogation of the Night Work (Women) Convention (Revised), 1934 (No. 41)***

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

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*Withdrawal of the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60)*

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

*Abrogation of the Hours of Work and Rest Periods (Road Transport) Convention, 1939 (No. 67)*

If there is no objection, I shall take it that the proposal is adopted.

*(It is so decided.)*

May I take it that the Conference wishes to take note of the report of the Selection Committee and the other arrangements set out therein?

*(The Conference takes note of the report.)*

After this first series of abrogations, we will soon consider the potential abrogation of another six Conventions which, at the recommendation of the Standards Review Mechanism Tripartite Working Group, the Governing Body has placed on the agenda of next year's Conference.

## **Reports of the Chairperson of the Governing Body and of the Director-General: Discussion**

### **Statements by the Chairpersons of the Employers' and Workers' groups of the Conference**

#### **Mr Rønnest**

Employer (Denmark), Spokesperson of the Employers' Group

The Employers' group wants to thank the Director-General for his Report on *Work in a changing climate: The Green Initiative*. The Report comes at a pertinent moment, in the wake of two cornerstones of the international agenda: the Paris Agreement on climate change and the United Nations 2030 Agenda for Sustainable Development, both adopted in 2015. No one should question the relevance of the Green Initiative.

We acknowledge the challenges described in the Report. New opportunities will emerge thanks to technological innovations, and many of the existing jobs in high-carbon sectors will be replaced by new ones in low-carbon areas. Some activities will simply disappear, and most existing occupations will undoubtedly need to adapt to the new requirements of a greener economy. We would like to highlight the need for constituents to act efficiently, anticipating these developments.

The *Guidelines for a just transition towards environmentally sustainable economies and societies for all*, approved by the Governing Body in 2015, offer useful guidance to support constituents in preparing for these challenges. We also welcome efforts made by the ILO to support member States with "climate employment diagnostics", to guide them in their national climate change action plans. I think we cannot repeat too often that action against climate change is neither a job, nor a development, killer.

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We have taken note that, according to the Report, meaningful employment gains are in fact possible, with net gains of 0.5 per cent to 2 per cent, translating into a potential 15–16 million additional jobs worldwide in 2030. This opens up important opportunities for the world of work.

At the same time, sound and sustainable macroeconomic policies and a proper business-friendly environment will help, more than ever, in achieving a just transition towards a sustainable environment. For any successful transition, predictable and adaptable regulation, together with the involvement of business and employers' organizations, will be crucial. An intense dialogue with and the involvement of the private sector will make a huge difference in anticipating future needs.

It is also important to understand that all action to be undertaken should be in accordance with nationally defined development priorities, including a systematic assessment of the effect of transition measures on employment. There is nothing more environmentally unsustainable than preventing countries from taking effective measures to fight poverty through sustainable economic growth. Systematically imposing new burdens on companies will fail to achieve the desired result. Stimuli and incentives should be truly effective and should enable sustainable employment creation, as opposed to short-term measures, which in the past have been seen artificially to stimulate non-sustainable production or short-term job creation. Free markets and free competition will continue to be the main driver of sustainable growth and will best support a just transition, if properly handled. The structural changes that our economies will need to go through cannot be seen in isolation. These changes relate not only to the green economy but also to the future of work and how diverse and flexible forms of work can create employment.

One of the main principles upon which just transition needs to be built is proper social dialogue, leading to coherent policies which provide an enabling environment for enterprises. In this sense, the Director-General's Report does not seem sufficiently to highlight the role and responsibility of individuals and companies in the fight against climate change. The role of social partners in promoting new attitudes in workplaces can contribute enormous added value. Changed attitudes towards energy and water consumption in the workplace, waste recycling, transport sharing and mobility behaviours will make a real difference. In this sense, the potential role of social dialogue in changing attitudes should not be underestimated.

At the same time, the contribution of companies, individually and collectively, through corporate social responsibility policies, should also be significant and should be properly recognized and encouraged on a voluntary basis. Joining efforts with the private sector will be more necessary than ever, if we want to achieve the ambitious goal to which we have committed ourselves. There should also be a greater focus on public–private partnerships.

The need for an ambitious approach to skills has to be stressed clearly. Skills will be one of the most critical factors in shaping workforce outcomes in the future and will be an essential tool to promote just transitions. Skills shortages in the green economy cannot be avoided and many countries are still far from being able to equip newcomers to the workforce with the skill sets required to fight against climate change.

I would like to make three points. The ILO must preserve a balanced approach. The just transition must not leave behind any stranded workers nor any stranded enterprises. Secondly, the ILO must further assist constituents in the implementation of its Guidelines, based on the lessons learned from the pilot countries. Governments should provide clear, stable, long-term policy frameworks, which foster investments in technology that will support mitigation, adaptation and resilience. The ILO can facilitate enterprises going green by advocating for greater policy coherence, flexible frameworks and measures conducive to innovation.

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As mentioned before, identifying skills that will be needed in the future, to meet market demands in the transition to greener economies, is a major challenge. The ILO Skills for Green Jobs and Just Transition Programme could put the Organization in a position to offer much-needed support directly to enterprises and workers, provided it continues to have an ambitious focus and that it does not lead to a duplication of efforts.

The ILO should be ambitious and should, within the multilateral system, strive to forge partnerships that provide a greater impact. More in-depth cooperation will be needed to tackle the challenges being faced. Building partnerships and efficient private partnership programmes will also be very important.

Above all, constituents need support better to engage in climate change action at the national level, and to take part, through their representative organizations, in shaping the national development contributions. The ILO can support this process by providing appropriate capacity building to social partners. The ILO should also help social partners and governments to design policies which contribute to changing attitudes and which will make a difference in the fight against climate change.

Finally, it seems that the Director-General's Report sets a date for the adoption of standards on a just transition. Employers claim that a simple rights-based approach will not add value. The relevant standards are already annexed to the ILO Guidelines. The Standards Review Mechanism could therefore be considered as an appropriate means to update, where necessary, the existing standards.

The Director-General, this year again, presented a report on *The situation of workers of the occupied Arab territories*. It is a sad story once again. The report provides an updated, nuanced and factual description of the very difficult situation in the labour markets in the occupied territories. Employers again support calls for a continued focus on real initiatives for peace and investment. More cooperation between the Israeli and Palestinian authorities will help better to channel mobility in the labour market. Restrictions on economic activity need to be lifted and, I stress this, donor support ambitiously pledged. As the Employers stated last year, with such relief, the ILO can and should embark on large-scale technical assistance within the framework of the newly established flagship programme on fragile States and disaster response.

**Mr Cortebeek**

Worker (Belgium), Chairperson of the Workers' group

Let me first commend the Director-General for his Report on *Work in a changing climate: The Green Initiative*.

The engagement of the international trade union movement in climate change is based on a realization that millions of jobs and lives are at risk if we do not act. Trade unions have a vital role to play in protecting jobs in existing workplaces and industries by demanding sustainable industrial transformation, organizing new decent jobs on the basis of environmentally sound investments and policies, and fighting for the just transition measures that will ensure we leave no one behind.

For years, we have stood strong in defence of a multilateral approach to climate change and we are proud to stand in support of the Paris Agreement and climate action in other spheres, at a time when jobs are still being used as a shield to prevent progress.

We invite the Director-General to make explicit in the future, just as he did in his opening speech to this Conference, the linkages between the world of work and other equally urgent environmental challenges. The centenary initiatives are aimed at equipping the Organization to meet successfully the future challenges of its social justice mandate. This

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means that when it comes to greening, the ILO must adopt a visionary stance on environmental issues. As one of the defining challenges facing humanity, climate change must be a part of the ILO's future mandate. Unfortunately, it is not the only one and there are others with similarly disruptive potential: ocean pollution, water scarcity, chemical dispersion and biodiversity loss, to mention a few. The Green Initiative should therefore set out a philosophy and programme for the centenary to come and make explicit the linkages between the world of work and each and every one of the planetary boundaries.

The Workers' group welcomes the integration of a just transition to environmental sustainability as a cross-cutting element of the programme and budget and looks forward to a detailed definition of the elements that are to be mainstreamed, so that this initiative is truly conducive to much faster progress. Mainstreaming can build on the progress already made in integrating environmental issues in areas such as social protection. The Workers' group trusts that this exercise will help the Organization achieve consistency between decent work and environmental protection when it comes to issuing standards and recommendations to governments on issues such as infrastructure, employment and growth assumptions.

We consider the focus of the 2018 *World Employment and Social Outlook* a very good step forward and would like to encourage the Office to be visionary, and to look beyond job creation figures when growing some green sectors while assessing the potential costs of shrinking others. That would mean doing what no one else is actually doing in the international system – understanding how we achieve decent work for all in a resource-restrained world. While technologies will play a key part, we also know that our economic system depends on growth for job creation. We need more jobs, but jobs that are decent and green. The ILO needs to help us find an alternative that combines decent work and environmental work, not just at the micro-level – knowledge that investment in clean sectors leads to jobs – but also the macroeconomic level, while keeping in mind the overall objective of decent work for all and social justice. The *World Employment and Social Outlook* could offer a good starting point.

Let me now turn to the linkages between climate change and the ILO. We agree that labour ministries and social partners must play a much more active role in the design and implementation of nationally determined contributions, as in the country-led process of defining climate goals under the Paris Agreement. The aim must be to encourage governments to be more ambitious in securing the livelihoods of workers and communities which currently depend on fossil fuels.

We are not calling for a dialogue that could undermine the progress made on climate change. We see social dialogue as the means to enable such ambition, and this must be made clear in the ILO's engagement with all constituents, labour ministries, unions and employers, so that they become more involved in long-term decarbonization pathways. It is in this perspective that we see the biggest shifts in terms of production in the future. Involvement in such initiatives will require further support and capacity-building for all ILO constituents.

The Workers' group supports the idea that predictable and appropriate regulation, together with informed tripartite involvement, are key ingredients for a successful, just transition. Without doubt, achieving the temperature targets established by the Paris Agreement require leadership from government and the development of more effective dialogue mechanisms; to date, these have taken only limited account of social partners' views. That said, we consider that when addressing carbon pricing and other means of taxing greenhouse gas emissions, the ILO should fully factor in the potentially negative distributional consequences of these measures.

The ILO should not limit its role to comments on these measures but fully assess their consequences in terms of inequalities and decent job creation, as well as outline potential

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measures to cushion their negative impacts. Other agencies, such as the Organization for Economic Cooperation and Development, have begun this work, and our group considers that it is vital also for the ILO to use its own modelling and analysis tools, as well as exploit its global reach, so as to draw its own conclusions on these matters.

The Report makes the case for a “fully-fledged ILO Skills for Green Jobs and Just Transition programme [which] would put the Organization in a position to offer much needed support directly to enterprises and workers, and also to partner with initiatives such as the Africa Renewable Energy Initiative and the International Solar Energy Alliance”. The Workers’ group supports the development of such an initiative and stands ready to be involved, given the important role that trade unions play in skills development.

We concur with the Report on the important role to be played by social protection in achieving a just transition. Social protection is much needed by workers in the sectors vulnerable to climate change and other environmental challenges, since it is the workers in the sectors facing restructuring and a transition to a zero carbon economy who will need support. That said, while it is critical to ensure full deployment of social protection floors, there will be a need for social security and more elaborate systems of social protection if a socially just transition is to be achieved.

For example, the ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all* states that there is a need for Governments, in consultation with social partners, to “promote and establish adequate social protection systems providing healthcare, income security and social services, in line with international labour standards”, thus broadening the scope of protection beyond social protection floors.

The international trade union movement has been calling, in all possible intergovernmental forums, for cooperation between the ILO and the United Nations Framework Convention on Climate Change (UNFCCC). We welcome the Memorandum of Understanding signed between the two organizations and expect that this development will help the UNFCCC to better incorporate the three ILO constituents in its discussions.

The Workers’ group would also like to congratulate the Office on the climate neutrality goals it has set, as well as its recognition that offsetting emissions is not an end in itself and that the Organization must aim to achieve zero emissions as soon as possible.

When it comes to Chapter 4 on the road ahead, the Workers’ group would have liked to see many more development proposals. Such an ambitious assessment of the current state of affairs is not matched by the approach taken to future measures.

The Workers’ group regrets the absence of references to the importance of piloting the ILO *Guidelines for a just transition* in as many countries as possible, to show their usefulness as a tool for tackling climate change in a socially progressive way. It is also our view that further promotion of the Guidelines will help other constituents understand what the Workers’ group and some governments already know well: we need an international labour standard to guide ILO tripartite constituents on just transition.

We also regret that certain issues are not considered to be part of the future work of the Organization, such as the need to better assess the costs of a just transition and of the resources that governments will need to fund it. This would require strengthening of the Organization’s research capacity.

The ILO’s environmental initiatives can have a large-scale rejuvenating effect, but must focus on maintaining its essential elements of standards, social dialogue, and the goals of social justice and decent work for all, while ensuring that the need to protect our environment is well entrenched in each of them. While we understand the importance attached to finding

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new resources – and we very much hope governments will contribute further in this area – we are also convinced that the ILO can best contribute by making each of its programmes compatible with planetary needs.

The Workers' group has always been supportive of an ambitious ILO agenda on the environment. This is not because we have suddenly become environmental organizations, but because we are already witnessing the disruptive impacts that environmental crises are having on working people. We are more convinced than ever that the world of work holds the solutions for making the social transformation we need, within a time frame that would provide current and future generations with access to decent work. Greening must be a key component of the work we want in future.

*(The Conference continued its discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.)*

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## **Fourth sitting**

Thursday, 8 June 2017, 10 a.m.

*President: Ms Clarke Walker*

### **First report of the Finance Committee of Government Representatives: Submission and approval**

#### **The President**

It is my great pleasure to declare open the fourth plenary sitting of the 106th Session of the International Labour Conference.

I would like to draw your attention to the first report of the Finance Committee of Government Representatives, which is contained in *Provisional Record* No. 8-1. It concerns the request of the Government of Kyrgyzstan, under paragraph 4 of article 13 of the ILO Constitution, for permission to vote.

A draft resolution concerning the arrears of contributions of Kyrgyzstan is attached to the report, and includes a schedule for the settlement of the arrears in annual instalments. A vote will be held on the resolution tomorrow morning.

If there are no objections, may I take it that the Conference approves the first report of the Finance Committee of Government Representatives, paragraphs 1–10, and the resolution?

*(The report – paragraphs 1–10 – and the resolution are approved.)*

### **First report of the Credentials Committee: Submission and noting**

#### **The President**

I should also like to draw your attention to the first report of the Credentials Committee, which is contained in *Provisional Record* No. 5B.

This report includes the calculation of the quorum required to validate votes held in plenary, as well as detailed information on the composition of the Conference and the various delegations, for example the percentages of women and men present. The Conference is called on to take note of this report.

*(The report is noted.)*

*(The Conference continued its discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.)*