

INS/5 Statement to Accompany Vote by Correspondence on Behalf of Canada, New Zealand, the United Kingdom and the United States

On behalf of Canada, New Zealand and the United Kingdom, the United States thanks the Office for this report, which aims to provide an overview of developments and trends concerning the fundamental principles and rights at work in ILO Members that have not yet ratified the relevant fundamental Conventions and the Protocol to the Forced Labor Convention. We note that while the report captures government efforts to give effect to the fundamental principles and rights at work, it does not reflect information on persistent or systemic labor rights deficits globally. Information on serious failures to afford fundamental labor rights is equally critical to evaluating trends concerning the fundamental principles and rights at work.

Forced labor is a serious issue everywhere. Certain ILO member states currently engage in systemic, state-sponsored forced labor. Such forced labor represents a serious departure from the commitment of all member states of the ILO to realize the elimination of all forms of forced labor.

The ILO must continue to be a leader in addressing major labor rights issues around the world. We request the Office to identify ways that the ILO can bring attention to and address serious and persistent labor rights deficits in situations not otherwise captured by this report or the ILO supervisory system, whether through the Follow-up to the 1998 Declaration on Fundamental Principles and Rights at Work, joining forces with other organizations within the UN system, the work of Alliance 8.7, or another modality, and present options to the Governing Body for its consideration. We appreciate the valuable contribution of the social partners in this regard, and we further request the Office to assess the degree of reporting by social partner organizations on implementation of the Declaration.

We are concerned by the state sponsored forced labor of vulnerable groups and minorities, including in the agricultural and garment sectors, as well as by mass transfers of forced laborers. Reports suggest that rural workers are particularly vulnerable. We are also concerned by the link between forced labor and other human rights violations and abuses, including mass arbitrary detention in some regions.

Forced labor requires international attention and the ILO's leadership and expertise to eliminate it. In line with the 1998 Declaration, it is incumbent upon all Members to promote and to realize the elimination of forced and compulsory labor. We call for this to be a priority for the ILO. We look forward to further discussions of this issue in the Governing Body, including specific cases.



European Union

Written Statement

ILO Governing Body, 341st session

15 March – 27 March 2021

**Review of annual reports under the follow-up
to the ILO Declaration on Fundamental Principles and rights at Work**

GB.341/INS/5

Geneva, 9 April 2021

EU Written Statement
Review of annual reports under the follow-up
to the ILO Declaration on Fundamental Principles and rights at Work

GB.341/INS/5

Statement on behalf of the European Union and its Member States.

The Candidate Countries the Republic of North Macedonia¹, Montenegro*, and Albania*, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as Japan align themselves with this statement.

1. We would like to express our gratitude to the Office for the ‘Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work’. We welcome the opportunity to provide our views on this vital subject, contributing to achieving the goal of universal ratification and implementation of all fundamental Conventions.
2. The EU and its Member States are deeply concerned by the slow progress of ratifications of ILO’s fundamental Conventions in the past year. We are still 114 ratifications, involving 41 Member States, short of the intended goal. We encourage the ILO to strengthen its efforts towards universal ratification and implementation of the fundamental conventions, including in view of achieving the Sustainable Development Goals.
3. We know that universal ratification is possible. Europe and Central Asia region became, in 2017, the first region to reach universal ratification. We thus support and look forward to increased ratification efforts in other regions as well, in line with the commitment taken in the Centenary Declaration for the Future of Work. We also look forward to increased efforts in promoting, respecting and realising fundamental principles and rights at work in States that have not yet ratified some fundamental conventions
4. During this International Year for the Elimination of Child Labour, we welcome the universal ratification of the Worst Forms of Child Labour Convention No 182, which is a significant step forward, proving that the ILO has a crucial role to play in our global efforts towards achieving the Sustainable Development Goals. In this regard, it is crucial that we work towards a full implementation of Convention 182 and wider ratification of the Minimum Age Convention N°138.

**The Republic of North Macedonia, Montenegro, and Albania continue to be part of the Stabilisation and Association Process.*

5. Just like child labour, forced labour remains an outstanding and grave concern, exacerbated further by the COVID-19 pandemic, in particular among vulnerable groups and minorities. The prevalence of forced labour constitutes grave violations of human rights. Eradicating this scourge requires renewed mobilization and must be a priority for the ILO and its member States, who have all committed to eliminate forced and compulsory labour under the 1998 Declaration. Supported by its normative, supervisory and development roles, the ILO must intensify its efforts to contribute to the eradication of forced labour by 2030, a major milestone towards implementing the 2030 Agenda, including through the promotion of universal ratification and full and effective implementation of fundamental Conventions 29 and 105, and Protocol 29. The European Union gives a particular priority to the implementation of the commitments taken to implement these conventions in the framework of its multilateral relations. We welcome that in March 2021 we reached the “50 for Freedom” campaign target, with ratifications by Sudan and Luxembourg. Yet, we would like to see faster progress. We welcome this opportunity to set the goal even higher and call on all countries to ratify and implement the Protocol of 2014 to the Forced Labour Convention and join forces in the pursuit of a world free from forced labour.
6. We welcome partnerships of the ILO in support of fundamental principles and rights at work, such as actions undertaken by Alliance 8.7, to maximise results in the elimination of child labour and forced labour.
7. At the same time, we are concerned that Conventions 87 and 98 continue to be the least ratified fundamental Conventions, including the implied lack of meaningful and effective social dialogue. The ILO, this unique tripartite international organisation, was conceived based on the understanding that lasting peace is not possible without social justice. The protection of freedom of association and the effective recognition of the right to collective bargaining are key building blocks in ensuring that strong social partners, through social dialogue, will lead to decent work and social fairness and justice. We therefore welcome the promotional activities and technical assistance provided to governments and social partners and encourage further activities to this end. This is even more crucial than before if we are committed to achieving a sustained, fair and resilient recovery from the COVID-19 crisis; social dialogue is key in this recovery.
8. We deeply regret the 31 percent decrease in response rate reported by the Office. The provision of annual reports by the Member States is an essential tool for the ILO's work in assessing compliance with the obligation for ILO members to promote, respect and realise fundamental principles and rights at work. We are pleased to note that a new user-friendly questionnaire will soon be available to governments to facilitate reporting. We appreciate the rich information contained in the Country baselines established on the basis of the annual reports and would appreciate the Office to increase their visibility. In view of the valuable contribution of the social partners in the implementation of the Declaration, we would welcome the Office's assessment of the degree of reporting by social partner organisations.
9. With these considerations in mind, we support the decision point.

Thank you, Chairperson.

Governing Body 341st Session, Geneva, March 2021
Institutional Section
Workers' Group Comments
DOCUMENT FOR BALLOT BY CORRESPONDENCE

**Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles
and Rights at Work**

GB/341/INS/5(Rev.2)

The Workers group welcomes this year's review of the annual reports under the ILO Declaration on FPRW and its follow up.

We note with concern that the reporting rate has decreased by 31% for the period under review in comparison with 2018 and urge the Office to redouble its efforts to improve the reporting rate and to provide technical assistance on the new online reporting system. The Workers Group urges the Governments to submit their reports of the follow up to the ILO Declaration on FPRW and to overcome obstacles for the ratification of these fundamental instruments.

The Workers' Group also notes that this year again, some member states provided reports under the P29 but did not provide updated information on the other fundamental conventions. We reiterate the importance of providing information on all core conventions. In particular, it is of major concern that the reporting rate for C87 and C98 has decreased respectively by 16 % and 3%.

We welcome the universal ratification of C182 in last August, as well as the 22 new ratifications of the Protocol on Forced Labour (between 15 January 2019 and 31 January 2021). We welcome that after this reporting period, on March 17th, Sudan ratified the protocol allowing to meet the initial target set by the 50 for Freedom campaign. This is very encouraging and shows that with the necessary support and resources from the Office, ratification campaign can yield significant results.

The Workers' Group also welcomes the 9 new ratifications of fundamental conventions referred to in para 2^[1], but notes with concerns that apart from the Protocol 29 on Forced Labour, a further 114 ratifications covering 41 member States are still required before the goal of universal ratification of all fundamental Conventions is attained.

We welcome the indications from Member States that are taking steps towards the ratification of C87 and/or C98. However, we regret that there was no new ratification of C87 and only one ratification of C98 registered. It is of great concern that Conventions 87 and 98 remain the least ratified of the fundamental conventions, despite being enabling rights. This situation should be urgently addressed.

We recall that in three subsequent years the ILC called for the universal ratification and implementation of the fundamental principles and rights and work, namely the conclusions of the Recurrent discussion on FPRW in 2017, the Recurrent discussion on Social Dialogue in 2018 and the Centenary Declaration in 2019. This commitment should be taken seriously and translated into ratification.

The Workers' Group strongly requests those Member States which have not yet ratified C.87 and C.98, in particular those which have indicated that ratification was unlikely or did not report on their intentions, to

^[1] Myanmar (Convention No. 138), Viet Nam (Conventions Nos 98 and 105), Vanuatu (Convention No. 138), Eritrea, the Marshall Islands, Palau, Tonga and Tuvalu (Convention No. 182))

respect their renewed commitment under the ILO Centenary Declaration. We also call upon the Office to intensify its support and technical assistance for the ratification of these conventions in order to realize as soon as possible, the goal of universal ratification.

With these comments, we support the decision point.

Governing Body 341st Session, Geneva, March 2021
Institutional Section
Comment on behalf of Italy
DOCUMENT FOR BALLOT BY CORRESPONDENCE

**Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles
and Rights at Work**

GB/341/INS/5(Rev.2)

Italy would like to highlight the essential relevance of C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 and C098 - Right to Organise and Collective Bargaining Convention, 1949, both of which require a specific attention by ILO in order to carry out an effective action with regard to their ratification.