



SIXTH ITEM ON THE AGENDA

**Choice of Conventions and
Recommendations on which
reports should be requested
under article 19 of the Constitution**

**Proposal for a General Survey concerning
employment instruments in light of the
ILO Declaration on Social Justice for
a Fair Globalization**

Introduction

1. Under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution, member States are required to report “at appropriate intervals, as requested by the Governing Body” on non-ratified Conventions and Recommendations; the reports shall cover in particular the position of law and practice concerning the matters dealt with in these instruments, and shall indicate the extent to which effect has been given or is proposed to be given to those instruments.
2. In 1950, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) was called on for the first time to consider reports submitted under article 19 of the Constitution.¹ It soon became apparent that it would be useful to have a clearer overview of the status of these instruments both in countries that had ratified them and in other countries, by using information contained in the reports under article 19 and under articles 22 and 35 of the Constitution. The first “General” Survey, which was based on both these reports, was prepared in 1956 by the CEACR. The view was that the discussion at the Conference “could thus assume the character of a review by stages of the effect given to all the principal Conventions and Recommendations, which would make it

¹ ILO: *Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19 and 22 of the Constitution)* and summary reports on non-ratified Conventions and Recommendations (article 19 of the Constitution), Geneva, 1950. These reports covered six Conventions and six Recommendations.

possible for the Conference to have a fuller and more useful picture of the effect of the Conventions and Recommendations than had been available in the past”.²

3. The Committee on Legal Issues and International Labour Standards (LILS) is regularly invited to make proposals to the Governing Body regarding the choice of Conventions and Recommendations on which governments might be requested to submit reports under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution, in view of the preparation of the annual General Surveys by the CEACR. A pre-selection is usually made by the Office. The General Surveys (Report III (Part 1B)) are examined each year by the Committee on the Application of Standards of the International Labour Conference in the framework of its general discussion.
4. Following the adoption of the Declaration on Social Justice for a Fair Globalization by the Conference in June 2008³ (2008 Declaration), two aspects are examined in this document: first, the implications for the subject of the General Survey; second, how best to design the report forms under article 19 of the Constitution (article 19 questionnaire) for the General Survey on the strategic objective to be selected in order to provide an input into the first recurrent discussion.

1. Implications of the 2008 Declaration for the subject of the General Survey

5. The follow-up to the 2008 Declaration mandates the introduction of a scheme of recurrent discussions by the International Labour Conference (ILC) to review the trends relating to each strategic objective in order to strengthen the link between needs of Members and action taken by the Organization to respond to those needs. As stated by the follow-up, the recurrent discussions will concentrate on determining how the ILO can more efficiently address those needs, including through standards-related action, technical cooperation, and the technical and research capacity of the Office. Consequently, it has been considered that the review of trends and developments in the recurrent reports could use, among other sources of information, the information on law and practice contained in General Surveys. To this end, the follow-up to the Declaration specifies that some measures to assist the Members may entail adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting burden of member States. The follow-up also stresses that the recurrent reports shall not duplicate the ILO's existing supervisory mechanisms.
6. As regards the possible synergies between the recurrent discussions and the General Surveys, in the Office report on strengthening the ILO's capacity (SILC) proposing the adoption of the Declaration submitted to the 2008 Conference,⁴ two considerations were highlighted. First, General Surveys are an invaluable tool for gathering objective information about national law and practice and for evaluating emerging trends relating to the solutions advocated by the relevant instruments – and indeed the extent to which existing instruments have had an impact beyond ratifying States. It will be added that they also provide useful points of reference for the judiciary and social partners at the national level. Second, the Constitution permits considerable flexibility in the way that procedures

² Minutes of the 129th Session of the Governing Body, 27–28 May and 24 June 1955, Annex X.

³ *Provisional Record* Nos 13A/B and 17, ILC, 97th Session, Geneva, 2008.

⁴ See Report VI, ILC, 97th Session, Geneva, 2008, Appendix III, Annex 1: Guidance note on General Surveys and possible synergies between General Surveys and cyclical reviews.

are adapted to changing conditions (in particular, the growth in the number of instruments and ratifications) and needs. Therefore nothing would prevent the Governing Body from aligning the topics covered in the Conference reports on recurrent items with those covered in the General Surveys and to re-fashion the scope of these surveys to ensure that they make the best possible contribution to the recurrent discussions.⁵

7. While a formal decision has not been taken yet on the strategic objective that will be dealt with in the context of a first recurrent discussion, it appears that there is a consensus to start in 2010 with employment. Accordingly, it is proposed that, subject to the formal decision of the Governing Body to place on the 2010 Conference agenda a recurrent discussion on the strategic objective of employment,⁶ the Conventions and Recommendations on which governments might be requested to submit reports under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution, be on instruments concerning this topic, in view of the preparation of a General Survey by the CEACR, that could be used for the preparation of the recurrent discussion.

2. A proposed new design for the article 19 questionnaire

8. Tripartite consultations were held (15–16 September) on the follow-up to the 2008 Declaration. Issues that were discussed covered the option of a six-year cycle for the recurrent discussions starting with employment and the implications for the General Surveys, including the simplification and improvement of the article 19 questionnaire.
9. The paper submitted to these consultations contained in its appendix a description of a possible new approach for an article 19 questionnaire concerning employment instruments, taking into account the 2008 Declaration and the expressed desire of constituents to see a new type of questionnaire that would be clear, concise, easy to understand and user-friendly. During the consultations, various views were expressed, which have been taken into account in the development of the proposed draft article 19 questionnaire contained in the appendix to this document. First, regarding the choice of instruments, a number of constituents considered that a higher number of standards would risk implying more workload on governments. In order to remedy the increase in the number of instruments, as can be seen in the attached draft questionnaire, the number of questions has been limited and the formulation of the questions has been simplified. The second concern voiced, which is closely linked to the latter, was that the questions should not be overly simplified, because the questionnaire should continue to provide useful information to the CEACR. This concern has subsequently been carefully taken into account in drafting a questionnaire, in particular by not losing sight of the objective and purpose of article 19 of the ILO Constitution.
10. Keeping in mind that the General Surveys are also based on information obtained through articles 22 and 35, and in accordance with the constituents' call during the SILC discussions to rationalize information resources to the maximum, the General Survey will use all available information. In other words, in order to give a complete comprehensive overview of ILO action relating to the strategic objective of employment, the General Survey will update information contained in the General Survey (2004) on employment⁷

⁵ *ibid.*, para. 6.

⁶ See GB.303/3/1.

⁷ *Promoting employment: Policies, skills and enterprises*, Report III (Part 1B), ILC, 92nd Session, Geneva, June 2004.

and draw on relevant information on employment aspects contained in recent and future Conference discussions (including, e.g. gender equality at the heart of decent work (2009) and employment and social protection in the new demographic context (2009)).

11. A new innovative approach both in terms of format, type of questions and choice of instruments is now being proposed (see appendix). At the same time, it cannot be underlined enough that this is an experimental approach. It should also be recalled that it has been understood throughout the SILC discussions and the consultations on the follow-up to the 2008 Declaration that the field offices will play a crucial role in assisting Members to meet their reporting obligations.
12. The questionnaire proposed uses a table format which could be either completed online or in a printed format. It is hoped that the format of the questionnaire will facilitate the entry of a summary of the information received into a database and when the subject is examined in the future, constituents will only need to provide updated information on the subject. The questionnaire contains two parts: Part I concerning trends, policies and developments and Part II concerning the impact of ILO instruments. Part I consists of a limited number of questions, each question being based on one or more provisions in the instruments under examination.⁸ Each of these questions requires a simple yes/no answer and space is made available for comments and for the request of more details concerning how the principle is implemented through national legislation as well as policies, measures and institutional arrangements. Part II of the questionnaire is designed to elicit information on the impact of the ILO instruments in question, requesting information on obstacles to ratification, possible gaps in the standards, needs for revision, the impact and future needs for ILO policy advisory support and technical cooperation needs.
13. The design of the proposed questionnaire in the appendix takes the priority Convention, i.e. the Employment Policy Convention, 1964 (No. 122), as the umbrella Convention along with the related Recommendations on this subject (Recommendations Nos 122 and 169). The appendix furthermore includes the possibility of considering three groups of relevant standards concerning employment⁹ which are distinguished by the different shadings used in the table. The first group comprises nine instruments,¹⁰ the second group enlarges this

⁸ See attached the annex to the appendix which details for each question the main references to relevant instruments concerning employment.

⁹ The majority of the Conventions and Recommendations are up to date, with the exception of the following four instruments: the Employment Service Convention, 1948 (No. 88) and Recommendation, 1948 (No. 83) are instruments with interim status. They are included, as they are the only instruments on public employment service and are of particular interest. The Termination of Employment Convention, 1982 (No. 158) and Recommendation, 1982 (No. 166) were classified by the Ventejol Working Party as instruments to be promoted on a priority basis. In 2002, when the Cartier Working Party completed its work, these two instruments were the only ones in respect of which it did not reach any conclusions. Tripartite consultations on their status will be held on 15 November 2008.

¹⁰ Employment Policy Convention, 1964 (No. 122), Employment Policy Recommendation, 1964 (No. 122), Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), Private Employment Agencies Convention, 1997 (No. 181), Employment Service Convention, 1948 (No. 88), Human Resources Development Convention, 1975 (No. 142), Human Resources Development Recommendation, 2004 (No. 195), Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), Promotion of Cooperatives Recommendation, 2002 (No. 193).

coverage with nine other instruments¹¹ and the third group adds another three instruments.¹²

14. It should be noted that the comprehensive approach (21 instruments) would enable the identification of gaps in standard setting, including needs for revision, if any, as well as gaps in the “coverage of the strategic objectives” as regards ratification and implementation of standards, according to the follow-up to the 2008 Declaration, and the appropriate ILO response (technical assistance, promotion, revision, etc.). At the same time, because of the format of the questionnaire, it would be easy to reduce the number of instruments to be considered by selecting one or several groups of instruments, if the Governing Body so wishes.

3. Timetable and transitional arrangements

15. During the consultations, it was also clarified that, in the case where the subject of the next General Survey would be on employment, as the first recurrent discussion, certain transitional arrangements would have to be made. These include the postponement of the request of the article 19 reports on instruments concerning labour relations (public service) decided by the Governing Body in November 2006, and the sending of the questionnaire adopted in March 2008. This questionnaire would be considered later, in the context of a relevant recurrent item (for example on social dialogue).¹³ As indicated during the consultations, the timetable for the preparation of the General Survey would be the following:

- December 2008: the article 19 questionnaire concerning employment instruments would be sent out with a deadline of 31 May 2009.
- November–December 2009: the General Survey on employment is prepared by the CEACR. Information contained in the General Survey is taken into account, among other types and sources of information, in the preparation of the Conference report for the recurrent discussion.
- June 2010:

¹¹ Private Employment Agencies Recommendation, 1997 (No. 188), Employment Service Recommendation, 1948 (No. 83), Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99), Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168), Employment Relationship Recommendation, 2006 (No. 198), Termination of Employment Convention, 1982 (No. 158), Termination of Employment Recommendation, 1982 (No. 166), Paid Educational Leave Convention, 1974 (No. 140).

¹² Indigenous and Tribal Peoples Convention, 1989 (No. 169), Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), Employment Promotion and Protection against Unemployment Recommendation, 1988 (No. 176).

¹³ At its 297th Session (November 2006), the Governing Body decided to request reports under article 19 of the Constitution in 2009 on the application of the Labour Relations (Public Service) Convention, 1978 (No. 151), the Labour Relations (Public Service) Recommendation, 1978 (No. 159), the Collective Bargaining Convention, 1981 (No. 154) and the Collective Bargaining Recommendation, 1981 (No. 163). The resulting General Survey was then to be examined at the ILC in June 2010. It also adopted a report form on these instruments in March 2008. This report form has not yet been sent to member States.

- (a) the Conference Committee on the Application of Standards discusses the General Survey on employment (with a focus on the status of the application of, or the effect given to, the relevant standards);
- (b) ad hoc arrangements should be undertaken for the preliminary conclusions of the Conference Committee on the Application of Standards on the General Survey to be brought to the attention of the technical committee discussing the recurrent item;
- (c) a technical committee discusses the report on employment in the context of a recurrent item with a view to the adoption of a comprehensive plan of action. This plan of action would establish priorities for future action and to that effect mandate the mobilization of the different means of action of the Organization, including activities relating to promotion, research, policy orientations, technical cooperation and possible standard setting in the form of revised or new standards.

16. *The Committee on Legal Issues and International Labour Standards may wish to:*

- (i) express its views on the proposals contained in the present document and its appendix and give any guidance that it may deem appropriate;*
- (ii) subject to the decision of the Governing Body to place on the agenda of the 2010 Conference a recurrent item on the strategic objective of employment, recommend that the Governing Body:*
 - (a) postpone the request of the article 19 reports on the application of the Labour Relations (Public Service) Convention, 1978 (No. 151), the Labour Relations (Public Service) Recommendation, 1978 (No. 159), the Collective Bargaining Convention, 1981 (No. 154) and the Collective Bargaining Recommendation, 1981 (No. 163), including the sending of the questionnaire, and consider it later, in the context of a relevant recurrent item (for example on social dialogue);*
 - (b) request governments to submit reports under article 19 of the Constitution concerning employment instruments for 2009;*
 - (c) approve the report form concerning employment instruments (referred to in the appendix), and in so doing, select the group(s) of instruments that are to be considered.*

Geneva, 21 October 2008.

Point for decision: Paragraph 16.

Appendix

INTERNATIONAL LABOUR OFFICE

REPORTS ON

UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the
International Labour Organization)*

REPORT FORM CONCERNING EMPLOYMENT INSTRUMENTS
(ARTICLE 19 QUESTIONNAIRE)

Geneva

2008

INTERNATIONAL LABOUR OFFICE

Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

...

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

...

In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.

REPORT

to be made no later than 31 May 2009, in accordance with article 19 of the Constitution of the International Labour Organization by the Government of, on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Article 19 questionnaire on employment

Part I: Trends, policies and developments

	Yes/No	Relevant legislation	Main policies, other measures and institutional arrangements	Comments (e.g. effectiveness, impact, global influences, etc.)
I. National employment policy				
Please indicate whether your country has:				
1. Adopted an active policy to promote full, productive and freely chosen employment?				
2. Taken measures to promote employment within the framework of a coordinated economic and social policy?				
3. Established mechanisms to monitor progress towards full productive and freely chosen employment, and to ensure coordination among key institutions?				
Consultation				
Please indicate whether your country has:				
4. Consulted the social partners in the formulation and execution of employment measures?				
5. Consulted in the formulation and execution of employment measures, the persons affected by these measures (including the rural sector and the informal economy)?				
II. Policies				
6. Has your country taken measures, in consultation with social partners:				
(i) to ensure that its employment policies cover and take special account of the informal economy?				

	Yes/No	Relevant legislation	Main policies, other measures and institutional arrangements	Comments (e.g. effectiveness, impact, global influences, etc.)
(ii) to promote transition of informal activities to the formal economy?				
Please indicate whether your country has:				
7. Adopted, as an integral part of its employment policy, a public employment service?				
8. Regulated private employment agencies and established cooperation between private employment agencies and the public employment service?				
9. Does your employment policy contain measures to meet the needs of the following particular categories of workers:				
(i) women;				
(ii) young people;				
(iii) people with disabilities;				
(iv) older workers;				
(v) workers in the informal economy;				
(vi) migrant workers;				
(vii) indigenous and tribal peoples;				
(viii) workers in rural areas.				
10. Does your country's law and practice guarantee effective protection for workers who perform work in the context of an employment relationship?				
11. Does your country as part of its employment policy have a specific strategy, in consultation with social partners, to address the relationship between labour market flexibility and employment security?				

	Yes/No	Relevant legislation	Main policies, other measures and institutional arrangements	Comments (e.g. effectiveness, impact, global influences, etc.)
12.Has your country taken steps as part of its employment policy in the area of protection against unemployment and what specific benefits does it provide for?				
III. Skills development				
13.Has your country adopted measures relating to vocational training, retraining and further training:				
(i) with institutions to bring employers, workers and training providers together to improve skills matching and the quality and relevance of training?				
(ii) directed towards creating prospective employment opportunities, i.e. anticipating future growth sectors and their skills needs?				
(iii) in order to encourage individuals to develop and update their competencies and skills to enable them to adapt to the labour market and engage in productive employment?				
(iv) in order to create a conducive environment for enterprises to invest in providing learning opportunities?				
IV. Enterprise development				
14.Have the following measures been taken by your country:				
(i) the promotion and pursuit of an environment conducive to the creation and growth of small and medium-sized enterprises?				
(ii) the adoption and implementation of a policy and legal framework favourable to cooperatives?				
(iii) the adoption and implementation of policies and programmes that support a service infrastructure for small and medium-sized enterprises, and promote a culture of entrepreneurship?				

Part II: Impact of ILO instruments

	A. If your country has not ratified and/or implemented the following Conventions and related Recommendations, what are the obstacles or other reasons that impede or delay ratification or implementation of the instruments in question and what are ratification prospects?	B. Please answer the following three questions for the instruments under each sub-theme:		
		(1) What suggestions would your country wish to make concerning possible standard-setting action (including, e.g. revision), review of the status of the instruments or other action to be taken by the ILO?	(2) Has there been any policy support and technical cooperation support provided by the ILO to give effect to the instruments in question? If it was the case, what has been the effect of that support?	(3) What are the future policy advisory support and technical cooperation needs of your country to give effect to the objectives of the instruments in question?
I. National employment policy				
<i>Employment policy</i> Employment Policy Convention, 1964 (No. 122) Employment Policy Recommendation, 1964 (No. 122) Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)				
II. Policies				
<i>Employment services</i> Employment Service Convention, 1948 (No. 88) ¹ Employment Service Recommendation, 1948 (No. 83) ² Private Employment Agencies Convention, 1997 (No. 181) Private Employment Agencies Recommendation, 1997 (No. 188)				
<i>Particular categories of workers</i> Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99) Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168) Indigenous and Tribal Peoples Convention, 1989 (No. 169)				
<i>Employment relationship, employment security and unemployment protection</i> Termination of Employment Convention, 1982 (No. 158) ³ Termination of Employment Recommendation, 1982 (No. 166) ⁴				

First group = nine instruments (no shading)

Second group = nine instruments

Third group = three instruments

	A. If your country has not ratified and/or implemented the following Conventions and related Recommendations, what are the obstacles or other reasons that impede or delay ratification or implementation of the instruments in question and what are ratification prospects?	B. Please answer the following three questions for the instruments under each sub-theme:		
		(1) What suggestions would your country wish to make concerning possible standard-setting action (including, e.g. revision), review of the status of the instruments or other action to be taken by the ILO?	(2) Has there been any policy support and technical cooperation support provided by the ILO to give effect to the instruments in question? If it was the case, what has been the effect of that support?	(3) What are the future policy advisory support and technical cooperation needs of your country to give effect to the objectives of the instruments in question?
Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) Employment Promotion and Protection against Unemployment Recommendation, 1988 (No. 176) Employment Relationship Recommendation, 2006 (No. 198)				
III. Skills development				
<i>Educational and training policies</i> Paid Educational Leave Convention, 1974 (No. 140) Human Resources Development Convention, 1975 (No. 142) Human Resources Development Recommendation, 2004 (No. 195)				
IV. Enterprise development				
<i>Small and medium-sized enterprises and cooperatives</i> Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189) Promotion of Cooperatives Recommendation, 2002 (No. 193)				
Notes ¹ The Employment Service Convention, 1948 (No. 88) is an instrument with interim status. It is included, as it is the only instrument on public employment service and it is of particular interest. ² idem for the Employment Service Recommendation, 1948 (No. 83). ³ The Termination of Employment Convention, 1982 (No. 158) was classified by the Ventejol Working Party as instruments to be promoted on a priority basis. In 2002, when the Cartier Working Party completed its work, these two instruments were the only ones in respect of which it did not reach any conclusions. ⁴ idem for the Termination of Employment Recommendation, 1982 (No. 166).				

Annex

Main references to relevant employment instruments for the questionnaire

I. National employment policy	
1. Adoption of an active policy to promote full, productive and freely chosen employment	C122, Art. 1(1) R122, Para. 1(1) R169, Para. 2
2. Measures to promote employment within the framework of a coordinated economic and social policy	C122, Arts 1(3), 2 R122, Paras 1(3), 6 R169, Para. 3
3. Established mechanisms to monitor progress towards full, productive and freely chosen employment, and to ensure coordination among key institutions	C88, Art. 1(2) C122, Art. 2 C142, Art. 1(1) C181, Art. 13(1), (2)
Consultation	
4. Consultation with the social partners in the formulation and execution of employment measures	C122, Art. 3 C88, Arts 4–5 R122, Para. 3 R169, Para. 5
5. Consultation in the formulation and execution of employment measures, with the persons affected by these measures (including the rural sector and the informal economy)	C122, Art. 3 R169, Para. 5
II. Policies	
6. Measures, in consultation with social partners, to:	
(i) ensure that the employment policies cover and take special account of the informal economy	R169, Part V
(ii) promote transition of informal activities to the formal economy	R169, Paras 9, 29(2)
7. Adoption, as an integral part of the employment policy, a public employment service	C88, Art. 1
8. Regulation of private employment agencies and establishment of cooperation between private employment agencies and the public employment service	C88, Arts 1(2), 11 C181, Arts 3, 13 R188, Paras 4, 16, 17
9. Employment policy contains measures to meet the needs of the following particular categories of workers:	R169, Para. 15
(i) Women	R169, Part III C168, Art. 8(1)
(ii) young people	C88, Art. 8 R169, Part III C168, Art. 8(1)
(iii) people with disabilities	C159 R99 R169 C168, Art. 8(1)
(iv) older workers	R169, Part III C168, Art. 8(1)
(v) workers in the informal economy	R169, Part V

First group = nine instruments (no shading)

Second group = nine instruments

Third group = three instruments

(vi) migrant workers	R169, Part X C168, Art. 8(1) C181, Art. 8
(vii) indigenous and tribal peoples	C169, Art. 20
(viii) workers in rural areas	R169, Paras 5, 14(2)(b), 27(2), 35(b)
10. Law and practice guarantees effective protection for workers who perform work in the context of an employment relationship	R198, Para. 1
11. Specific strategy as part of employment policy, in consultation with social partners, to address the relationship between labour market flexibility and employment security	C158 R166
12. Protection against unemployment and specific benefits	R122, Paras 7, 29(3) R169, Para. 10 C168, Art. 2 R176
III. Skills development	
13. Measures relating to vocational training, retraining and further training:	
(i) with institutions to bring employers, workers and training providers together to improve skills matching and the quality and relevance of training	C142, Art. 5 R195, Paras 4(a), 5(a), 6(1), 9, 13
(ii) directed towards creating prospective employment opportunities, i.e. anticipating future growth sectors and their skills needs	C142, Art. 1 R195, Para. 8(f)
(iii) encouraging individuals to develop and update their competencies and skills to enable them to adapt to the labour market and engage in productive employment	R195 C140, Art. 3 C142, Art. 1(5)
(iv) creating a conducive environment for enterprises to invest in providing learning opportunities	R195, Para. 5(b) R189, Para. 10(3)
IV. Enterprise development	
14. Measures to:	
(i) promote and pursue an environment conducive to the creation and growth of small and medium-sized enterprises	R189, Para. 2 and Part II
(ii) adopt and implement a policy and legal framework favourable to cooperatives	R193
(iii) adopt and implement policies and programmes that support a service infrastructure for SMEs, and promote a culture of entrepreneurship	R189, Parts III and IV

First group = nine instruments (no shading)

Second group = nine instruments

Third group = three instruments