#### INTERNATIONAL LABOUR OFFICE

GB.303/LILS/4/1 303rd Session

### **Governing Body**

Geneva, November 2008

Committee on Legal Issues and International Labour Standards

LILS

#### FOR DECISION

#### FOURTH ITEM ON THE AGENDA

### Improvements in the standards-related activities of the ILO

Possible implications of the Declaration on Social Justice for a Fair Globalization on the standards strategy and update on the implementation of the interim plan of action

#### Introduction

1. In the context of its ongoing efforts to improve the effectiveness of the ILO's standards system, the Governing Body adopted a standards strategy <sup>1</sup> at its 294th Session (November 2005) and an interim plan of action <sup>2</sup> for the implementation of the standards strategy at its 300th Session (November 2007). The interim plan of action also anticipated that the Conference discussion in June 2008 on strengthening the ILO's capacity (SILC) would have implications that would need to be taken into account for its finalization. At its 301st Session (March 2008), the Governing Body invited the Office to submit a report to the present session on the implementation of the interim plan of action in the light of comments made at the November 2007 and March 2008 sessions. This document therefore includes: a summary of the possible implications of the outcome of the June 2008 ILC discussion on SILC for the implementation of the standards strategy (Part I); and an update on the implementation of the interim plan of action, covering the promotion of standards, technical cooperation and the information and communication strategy (Part II). The further study on the dynamics of the supervisory system, also requested by the Governing Body, is the subject of a separate document. <sup>3</sup>

<sup>&</sup>lt;sup>1</sup> GB.294/LILS/4 and GB.294/9. The standards strategy covers four main components: (1) developing, keeping up to date and promoting ILO standards (standards policy); (2) strengthening the supervisory system; (3) improving the impact of the standards system through technical assistance and cooperation; and (4) enhancing the visibility of the ILO standards system.

<sup>&</sup>lt;sup>2</sup> GB.300/LILS/6 and GB.300/13.

<sup>&</sup>lt;sup>3</sup> See GB.303/LILS/4/2.

#### **Tripartite consultations**

2. The Office was also invited to make arrangements for consultations on ILO standards policy and on the status of the Termination of Employment Convention (No. 158) and Recommendation, 1982 (No. 166), no later than November 2008. These consultations have been scheduled for 15 November, with the participation of eight Employers, eight Workers and eight Governments. The purpose of the consultations is to discuss issues on which a consensus still needs to be reached. The standards policy issues that have been raised during the previous discussions of the LILS Committee include: maintaining the body of standards up to date, new standards, and possible instruments for revision and for consolidation. It is proposed that these questions should now be examined in the light of the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008. The Committee may wish to give further guidance on the specific issues to be discussed, including other possible questions.

# Part I: Possible implications of the Declaration on Social Justice for a Fair Globalization on the standards strategy

- 3. Following the SILC discussion, on 10 June 2008, the 97th Session of the International Labour Conference (ILC) adopted the ILO Declaration on Social Justice for a Fair Globalization (the 2008 Declaration) and a resolution on strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization (the resolution). 4 Section I of the 2008 Declaration (Scope and principles) covers the whole of the ILO's mandate, emphasizing that the four strategic objectives are inseparable, interrelated and mutually supportive. Section II (Method of implementation) calls on the Organization to review and adapt its institutional practices to enhance governance and capacity building in order to make the best use of its human and financial resources and of the unique advantage of its tripartite structure and standards system, with a view, inter alia, to better understanding its Members' needs, strengthening and streamlining its technical cooperation, and promoting shared knowledge and understanding of the synergies between the strategic objectives. The 2008 Declaration also indicates that Members have a key responsibility to contribute, through their social and economic policy, to the realization of a global and integrated strategy for the implementation of the strategic objectives. It is for member States, in consultation with the representative organizations of workers and employers, to determine how to discharge that responsibility. The 2008 Declaration specifies that Members may consider, among other steps, the review of their situation as regards the ratification or implementation of ILO instruments with a view to achieving a progressively increasing coverage of each of the strategic objectives, with special emphasis on the instruments classified as core labour standards, as well as those regarded as most significant from the viewpoint of governance, covering tripartism, employment policy and labour inspection. <sup>5</sup> The follow-up to the 2008 Declaration addresses the means by which the Organization will assist the efforts of its Members to give effect to their commitment to pursue the four strategic objectives.
- **4.** It is therefore clear that the potential implications of the 2008 Declaration concern the four components of the standards strategy. At this early stage of implementation, it should be noted that the tripartite consultations held on 15 and 16 September 2008, in addition to the Strategic Policy Framework (2010–15), discussed only three elements of this follow-up,

<sup>&</sup>lt;sup>4</sup> ILO: Provisional Record No. 13A/B, ILC, 97th Session, Geneva, 2008.

<sup>&</sup>lt;sup>5</sup> 2008 Declaration on Social Justice for a Fair Globalization, Section II(B)(iii).

namely: the concept of the reports submitted on recurrent items on the agenda of the ILC and the sequence and frequency of these items; the implications for General Surveys; and the role of the Steering Group set up by the Governing Body under the resolution.

5. Furthermore, the Steering Group is to discuss a preliminary implementation plan for the 2008 Declaration in November and, in accordance with the resolution, a final implementation plan should be presented to the 304th Session (March 2009) of the Governing Body. Analysis of the implications of the 2008 Declaration for the standards strategy will be undertaken in accordance with the progress made regarding the implementation plan for the 2008 Declaration. However, it appears, as explained below, that the implementation of the follow-up to the 2008 Declaration would have effects on the interim plan of action in relation to standards policy and the streamlining of reporting, including article 19 report forms (article 19 questionnaire) for General Surveys, that can start to be considered.

### 1. Standards policy: An integrated approach under the 2008 Declaration

### 1.1. Possible impact of the recurrent discussions at the ILC

- **6.** The Preamble of the 2008 Declaration recognizes that the Organization must promote the ILO's standard-setting policy as a cornerstone of ILO activities by enhancing its relevance to the world of work, and ensure the role of standards as a useful means of achieving the constitutional objectives of the Organization.
- 7. In accordance with the follow-up to the 2008 Declaration, the Organization will introduce a scheme of recurrent discussions by the ILC based on modalities agreed by the Governing Body, without duplicating the ILO's supervisory mechanisms, so as to: understand better the diverse realities and needs of its Members with respect to each of the strategic objectives, respond more effectively to them, using all the means of action at its disposal, including standards-related action, technical cooperation and the technical and research capacity of the Office, and adjust its priorities and programmes of action accordingly; and assess the results of the ILO's activities with a view to informing programme, budget and other governance decisions. <sup>6</sup>
- **8.** The review of trends and developments in the recurrent reports could benefit, among other sources, from the information on law and practice contained in the General Surveys prepared by the Committee of Experts on the Application of Conventions and Recommendations (CEACR). <sup>7</sup> In this respect, the follow-up to the Declaration specifies that some of the measures to assist the Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States. <sup>8</sup>

<sup>&</sup>lt;sup>6</sup> Follow-up to the 2008 Declaration, Section II(B).

<sup>&</sup>lt;sup>7</sup> For more information on synergies between General Surveys and recurrent discussions, see GB.300/LILS/6, as well as Appendix III, Annex I of Report VI, ILC, 97th Session, Geneva, 2008, pp. 56–60.

<sup>&</sup>lt;sup>8</sup> Follow-up to the 2008 Declaration, Section I(B).

- 9. The conclusions which may be drawn, both from General Surveys and the discussions on the recurrent items, may respond to concerns related to standards policy in such areas as: a method for establishing a consensus on possible items for new or revised standards, and thus maintaining the body of standards up to date; the assurance that new standards will add value to the existing body of standards; and better use of the wealth of information contained in General Surveys. It should be noted that real improvement in the impact, relevance and coherence of standards can be anticipated through such recurrent discussions to the extent that they would cover all the relevant standards. The resulting overview would enable the Conference to identify gaps in both the effect given to standards in accordance with article 19 of the Constitution (and the appropriate ILO response – technical assistance, promotion or revision) and standard-setting, including revision of standards. A comprehensive analysis would also assist member States wishing to review their situation as regards the ratification or implementation of ILO instruments with a view to achieving progressively increasing coverage of each of the strategic objectives, as indicated in the follow-up to the 2008 Declaration. The conclusions of the Working Party on Policy regarding the Revision of Standards (the Cartier Working Party) should, where appropriate, also be taken into account in this context. 9 Member States would also be able to identify their technical assistance needs more effectively, thereby contributing to a better targeting of ILO technical assistance.
- **10.** During the tripartite consultations held in September, options for the recurrent discussions were discussed, as well as the scope and format of article 19 questionnaires for General Surveys. A separate document is before the LILS Committee concerning the possibility of a General Survey on employment <sup>10</sup> should the Governing Body decide to retain this strategic objective as the first subject for recurrent discussion at the Conference.

#### 1.2. The governance instruments

11. The 2008 Declaration places special emphasis on the instruments classified as core labour standards as well as those regarded as most significant from the point of view of governance, namely those covering tripartism, employment policy and labour inspection. <sup>11</sup> The follow-up to the Declaration requires the Director-General to take the necessary steps to assist Members, taking into account, inter alia, the need to ensure "the identification, updating and promotion of the list of standards that are the most significant from the viewpoint of governance", <sup>12</sup> and includes the four priority Conventions in a footnote. <sup>13</sup> The interim plan of action approved by the Governing Body in November 2007 includes strengthened promotion of these four instruments. In light of the 2008 Declaration, a campaign for the ratification and effective implementation of these Conventions could be launched. A detailed report could be submitted annually to the LILS Committee on the progress achieved, for example together with the report on the fundamental Conventions.

<sup>&</sup>lt;sup>9</sup> See: www.ilo.org/ilolex/english/subjectE.htm; www.ilo.org/dyn/natlex/country profiles.byCountry?p lang=en.

<sup>&</sup>lt;sup>10</sup> GB.303/LILS/6.

<sup>&</sup>lt;sup>11</sup> 2008 Declaration, Section II(B)(iii).

<sup>&</sup>lt;sup>12</sup> Follow-up to the 2008 Declaration, Section II(A)(vi).

<sup>&</sup>lt;sup>13</sup> The footnote in the 2008 Declaration follow-up reads: "The Labour Inspection Convention, 1947 (No. 81), the Employment Policy Convention, 1964 (No. 122), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and those standards identified in subsequently updated lists" (Section II(B), footnote 1).

Preliminary information concerning prospects for the ratification of the priority Conventions and technical assistance needs for their ratification and implementation has already been requested with a view to undertaking a mapping of the situation. <sup>14</sup> Modalities for updating the list of governance instruments could be considered in the context of the consultations on standards policy.

#### Streamlining the sending and processing of information and reports under articles 19 and 22 of the Constitution and consideration of a possible review of the reporting cycle

12. As noted above, among methods of implementation, the 2008 Declaration highlights the need to review and adapt institutional practices in order to make best use of the standards system as one of the Organization's two unique advantages. The second component of the standards strategy – enhancing the impact of the supervisory system – involves identifying ways of reducing the workload of governments, the supervisory bodies and the Office, while maintaining and improving the quality of information on the application of ratified Conventions (article 22 of the Constitution) and on the effect given to unratified Conventions and Recommendations (article 19 of the Constitution) so that it can be used appropriately by constituents and the ILO. Depending on the decisions taken by the Governing Body concerning the cycle and themes for the recurrent item, in order to ensure that the best use is made of the information available to the Office, it may be necessary to review the current grouping of instruments and the cycle of reports due under article 22 of the Constitution. This would enable the synchronization of reporting under both articles 19 and 22 in the same thematic area.

## 2.1. Evaluation of the grouping of Conventions for reporting purposes and new options for a global approach

- **13.** The interim plan of action provides for the evaluation of the grouping of Conventions by subject for reporting purposes <sup>15</sup> introduced in 2003 and an examination of new options for a global approach to streamlining reports taking into account the evaluation of the grouping of Conventions and the outcome of the SILC discussion. <sup>16</sup>
- 14. The establishment by the 2008 Declaration of recurrent items and the consequent linkage with General Surveys has a bearing on this important element of the standards strategy. According to the proposed scheme, recurrent reviews would deal with a different strategic objective each year and the General Surveys would be synchronized with these reviews. This means that General Surveys, which contain information based on both article 19 and

<sup>&</sup>lt;sup>14</sup> In the context of the ratification campaign for the fundamental ILO Conventions, on 21 July 2008, the Director-General sent a letter to governments of countries that had not ratified all the fundamental Conventions. In the light of the 2008 Declaration, and with a view to avoiding multiple requests for information, the letter also sought information concerning unratified priority Conventions. Replies were received from Canada, China, Gabon, Kenya, Kiribati, Republic of Korea, Mexico, Morocco, New Zealand, Qatar, United Kingdom and United States. Kiribati has requested technical assistance in this regard and Morocco indicated that the ratification procedures for Convention No. 144 would be launched without delay.

<sup>&</sup>lt;sup>15</sup> GB.283/LILS/6 and GB.283/10/2.

<sup>&</sup>lt;sup>16</sup> GB.300/LILS/6, "Proposed interim plan of action", section II, para. (1), indent 4 (p. 21).

article 22 reports, would follow the same cycle as recurrent discussions. It also means that article 19 questionnaires and the examination by the CEACR of the reports submitted by member States would be aligned with this cycle. It should be recalled that the resolution calls for proposals on the streamlining of reporting <sup>17</sup> and that, during the September 2008 tripartite consultations, a number of constituents called for reporting synergies, including with article 22 reports. It would therefore be timely for the evaluation of the present grouping of Conventions for article 22 reports, as well as a possible review of reporting cycles, <sup>18</sup> to take into account the cycle of recurrent reports to be decided on by the Governing Body and the timing of General Surveys. A review could be undertaken once a decision is reached on the cycle of recurrent items and the strategic objectives to be addressed during that cycle.

**15.** The Governing Body could invite the Office, following the adoption of the final implementation plan for the 2008 Declaration, to submit to the LILS Committee at its 306th Session (November 2009) an evaluation of the present grouping of Conventions for article 22 reports and options for streamlining and adapting the article 19 and article 22 reporting cycle. A progress report could be submitted in March 2009.

#### 2.2. Report forms

- 16. The interim plan of action also provides for a review of the questions contained in article 22 report forms focusing, on a trial basis, on a group of Conventions covering a particular subject (employment, occupational safety and health or social security). Report forms are adopted by the Governing Body after discussion in the LILS Committee. The method followed up to now in the formulation of report forms is for them to be closely aligned with the provisions of Conventions to enable the CEACR to receive the information required.
- 17. At the request of the Governing Body, the Office sought the view of the CEACR at its 78th Session (November-December 2007). The CEACR, through its Subcommittee on Working Methods, considered that emphasis should be placed first and foremost on technical assistance to enable governments to use report forms as provided by the Office through the personalized assistance in place since 2005. Second, they stressed that the questions contained in the forms were essential to the work of the CEACR and that the Office's review should focus on improvements to the report forms that could lead to their modernization. They referred in particular to clearer wording of the questions, enhanced focus on the application of the Convention, possible innovations in the presentation and structure of report forms, as well as better use of information technology. In order to move forward concretely on this matter, three experts volunteered to contribute to the Office's review of existing report forms, based on their expert knowledge of the Conventions falling within their mandate. The contribution of these experts should be made on an experimental basis, before any further input is decided upon by the CEACR. The CEACR will take up the issue once again at its meeting in November-December 2008. It should also be emphasized that the issue of revising report forms will be closely linked to the

<sup>17</sup> Resolution, para. 2(b)(II)(e).

<sup>&</sup>lt;sup>18</sup> In June 1959, the Governing Body decided to lengthen the reporting cycle from one to two years for all Conventions (GB.142/205). In November 1976 and November 1993, the Governing Body decided to further lengthen the reporting cycle, except for a certain number of Conventions considered as key, from two to four years (GB.201/14/32) and from four to five years (GB.258/6/19), respectively, with a number of safeguards. In November 2001, the Governing Body maintained a reporting cycle of two years for the eight fundamental (Nos 29, 87, 98, 105, 100, 111, 138 and 182) and four priority Conventions (Nos 81, 122, 129 and 144) and of five years for the other Conventions (GB.282/8/2).

- establishment and development of an online reporting system (see Part II, section 3.1). The Office should be able to submit a progress report on this subject to the Governing Body at its 306th Session (November 2009).
- 18. In relation to the follow-up to the 2008 Declaration, a new approach to the article 19 questionnaires for General Surveys has been proposed so that they are clearer, more concise, easier to understand and more user-friendly. During the September consultations, this new approach was considered in relation to the strategic objective of employment. The LILS Committee is invited to examine a proposal for an article 19 questionnaire concerning employment instruments, under this new approach and to make a recommendation to the Governing Body at its present session. 19 At the same time, it should be noted that the scheme for recurrent discussions is of an experimental nature in terms of their sequence, frequency and links with General Surveys. It will be possible to apply the lessons learned from the first recurrent discussions, and their possible implications for General Surveys, to future discussions.
- 19. The Committee on Legal Issues and International Labour Standards may wish to:
  - (i) discuss the issues raised in Part I of the present document and provide any guidance it considers appropriate for the further work of the Office; and
  - (ii) recommend to the Governing Body that it invite the Office to:
    - (a) launch a promotional campaign for the ratification and effective implementation of the standards that are the most significant from the viewpoint of governance (the four priority Conventions), and submit a report annually to the LILS Committee on the progress achieved, together with the report on the fundamental Conventions;
    - (b) prepare an evaluation of the grouping of Conventions by subject for reporting purposes that was introduced in 2003, and proposals for new options for a global approach to streamlining reports, taking into account the decisions taken at its current session and the March 2009 session relating to the follow-up to the 2008 Declaration, to be submitted at the 306th Session of the Governing Body (November 2009), and present a progress report on this matter at its 304th Session (March 2009);
    - (c) report on the consultations concerning standards policy and Convention No. 158 and Recommendation No. 166 at its next session;
    - (d) submit a progress report on the review of the article 22 report forms at its 306th Session (November 2009).

<sup>&</sup>lt;sup>19</sup> GB.303/LILS/6.

# Part II: Update on the implementation of the interim plan of action since the 301st Session (March 2008) of the Governing Body

#### 1. Promotion of up to date standards

**20.** In March 2008, a consensus was reached by the Governing Body to confirm the promotion of the entire body of up to date standards on a priority basis, based on the conclusions of the Cartier Working Party. Progress continues concerning their integration into the activities of technical departments and country programmes. <sup>20</sup> Further improvements are expected through the follow-up to the 2008 Declaration. It is of interest to note that in a recent communication to certain European bodies, the Commission of the European Communities called upon "all Member States to set an example by ratifying and implementing the ILO Conventions classified by ILO as up to date". <sup>21</sup> This is an important development that will enhance the visibility of the up to date instruments, which deal with all workplace issues, and should boost the corresponding promotional actions undertaken throughout the Office.

### 1.1. Promotion of priority and recently adopted Conventions

21. Within the framework of the interim plan of action, the Governing Body approved, in particular, strengthened promotion of the ratification and effective implementation of the four priority Conventions (Nos 81, 122, 129 and 144) and the recently adopted Conventions: the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), the Maritime Labour Convention, 2006, the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the Work in Fishing Convention, 2007 (No. 188). Recent developments concerning these instruments are described below.

#### 1.2. Promotion of the priority Conventions

**22.** At present, 29 countries have ratified the four priority Conventions concerning labour inspection, employment policy and tripartite consultation, and 50 countries have ratified three of these instruments.

Labour Inspection Convention, 1947 (No. 81), and Labour Inspection (Agriculture) Convention, 1969 (No. 129)

**23.** Since the March 2008 session of the Governing Body, Fiji has ratified Convention No. 81 and Luxembourg <sup>22</sup> has ratified Convention No. 129. The total number of ratifications is

<sup>&</sup>lt;sup>20</sup> See section 2, below.

<sup>&</sup>lt;sup>21</sup> See *Renewed social agenda: Opportunities, access and solidarity in 21st century Europe,* Communication from the Commission, COM(2008) 412 final (Brussels) and *Report on the EU contribution to the promotion of decent work in the world*, Commission Staff Working Document, SEC(2008) 2184, section 6.3 (Brussels).

In 2008, the Government of Luxembourg ratified 18 Conventions and two Protocols, bringing the number of Conventions ratified by it to 85. This included the ratification of 15 occupational safety

now 138 for Convention No. 81 and 46 for Convention No. 129. As noted in Part I, <sup>23</sup> information on technical assistance needs has already been received from some member States concerning these instruments. On this basis, a programme of assistance will be implemented.

24. The strategy for strengthening labour inspection contained in the Programme and Budget for 2008–09 includes, inter alia, promoting the ratification of Conventions Nos 81 and 129, due to the key role played by the social partners and governments in improving the efficiency of labour inspection. In March 2008, the Office proposed linking this ratification campaign to the targets set out in the programme and budget for the current biennium, i.e. ten member States to undertake tripartite audits of their labour inspection systems; 15 member States that will formulate national action plans on labour inspection; and ten member States that will increase the financial resources allocated to labour inspection. Other promotional activities were also envisaged, such as the elaboration of information and training tools for constituents, in particular the web site on labour inspection. The Programme and Budget for 2008–09 envisages the use of extra-budgetary resources for this purpose.

Promotional activities: Developing the capacity of member States with respect to labour inspection

- 25. Labour inspection audits have recently been carried out in Honduras and El Salvador, the latter being in the process of drafting a national plan of action. An audit was also undertaken in Guatemala in September 2008. Requests have been made by Ethiopia, Republic of Moldova and Syrian Arab Republic for similar audits, and these are currently under examination. Resource constraints limit the number of audits that can be undertaken.
- **26.** In 2007, in order to strengthen the efficiency and credibility of labour inspection, the CEACR addressed a general observation to all the countries that have ratified Conventions Nos 81 and 129, encouraging them to take measures to ensure effective cooperation between labour inspection services and judicial bodies. The response has been positive, as illustrated by the measures described in the reports on the application of these Conventions.
- 27. In May 2008, a subregional workshop financed from external resources on the subject was organized in Dakar for French-speaking African countries in the framework of the ADMITRA project for the modernization and administration of labour inspection. During the workshop, which was attended by labour inspectors, judges, magistrates and members of labour tribunals, emphasis was placed on opportunities for cooperation between labour inspection and the justice system for labour administrators. A training session on international labour standards and inspection methods for new labour inspectors in Mauritania is expected to be held before the end of 2008 as a follow-up to the workshop.
- **28.** Ethical guidelines on labour inspection, drafted by France, with the technical assistance of the ILO, were submitted for approval to the national Labour Inspection Council. Once approved, these guidelines will be published on the ILO web site as an example of good practice.

and health instruments as well as one priority Convention: Convention No. 129, and the Protocol to Convention No. 81.

<sup>&</sup>lt;sup>23</sup> See paragraph 11 above.

### Promoting the application and ratification of the labour inspection Conventions

- 29. In Africa, requests for assistance have been received from Burkina Faso, Comoros, Djibouti, Malawi, Mauritania, Mozambique, Sudan and Zimbabwe, as well as from a number of employers' and workers' organizations, mostly for the training of labour inspectors, the drafting of annual reports and/or the search for resources to strengthen labour inspection capacities. The Conference Committee on the Application of Standards has expressed concern on a number of occasions regarding the dismantling of the labour inspection system in Uganda, while Senegal was strongly encouraged by the CEACR to request ILO technical assistance and international financial cooperation in order to ensure that it could fulfil its obligations under Convention No. 81. The Office has written to these countries and is awaiting a response. In Asia, Viet Nam recognizes that further ILO technical assistance would be desirable for the implementation of a labour inspection system integrating the principles of Convention No. 81, which it has ratified. Assistance to the Government is also envisaged in order to enable it to be in a position to ratify and implement Convention No. 129 so as to protect the large section of the population employed in the agricultural sector. Within the framework of the Decent Work Country Programmes (DWCP), ILO technical assistance on labour inspection has also been requested for all the member States covered by the Subregional Office for Central and Eastern Europe: SRO-Budapest, as well as Egypt, Jordan and Syrian Arab Republic.
- **30.** It is hoped that, through the cooperation agreement between Norway and the ILO, technical assistance will be made available to many developing countries for the development of annual labour inspectorate reports, which are indispensible to improving the efficiency of labour inspection.

Employment Policy Convention, 1964 (No. 122), and Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

- **31.** Since the session in March 2008, Convention No. 122 has been ratified by Bulgaria, bringing the total number of ratifications to 98. Over the same period, Convention No. 144 received two new ratifications by Mali and Viet Nam. As of 30 September 2008, Convention No. 144 has been ratified by 123 countries. In order to promote ratification and implementation of these Conventions, a targeted approach has been employed on a regional basis.
- 32. In Europe, the Subregional Office (SRO) in Budapest has continued to provide assistance to Albania to complete the ratification of Convention No. 122. The SRO in Budapest is also seeking funding for regional capacity-building and knowledge-sharing initiatives aimed at improving labour market governance. In particular, funding is being sought to maintain a regional network of employment policy experts, comprising the directors general of ministries in charge of employment and of public employment services in selected South-Eastern European countries (Albania, Bosnia and Herzegovina, Croatia, Republic of Moldova, Montenegro, Serbia and The former Yugoslav Republic of Macedonia). The regional representatives of employers' and workers' organizations are also members of the network.
- **33.** Luxembourg and Malta are the only Member States of the European Union that have not yet ratified Conventions Nos 122 and 144. As noted above, a communication was addressed to these countries requesting updated information on the prospects of ratification.

- **34.** In Africa, the promotion of Convention No. 122 is being given particular emphasis in Burkina Faso, Côte d'Ivoire, Kenya, Malawi and Rwanda, and a tripartite seminar on the Convention is envisaged in Egypt. Through the activities of the support for the promotion of employment and poverty reduction (APERP) project, funded by the French Government, information materials on Convention No. 122 are being produced in French. In this context, the Subregional Office for Central Africa: SRO-Yaoundé prepared a document on the employment policy Conventions to facilitate discussions between the social partners and government officials. Gabon has also announced that Convention No. 122 has been submitted to the National Assembly for ratification.
- **35.** The One UN Fund has financed a study in Rwanda addressing the promotion of Convention No. 144 and the obstacles to ratification of the Convention. The study is due to be discussed with the national authorities and the social partners.
- **36.** A technical workshop to review and validate a UN System-Wide Operational Guidance Note (OGN) on Post-Conflict Employment Creation, Income Generation and Reintegration was held in Cairo in March 2008 to reach consensus on a coherent and integrated strategy and provide a framework for the implementation of employment generation and reintegration programmes at the country level.
- 37. In Latin America and the Caribbean, the Tripartite Agreement on the adoption of the 2007 DWCP for Honduras included promotion of the ratification of Convention No. 144. Ratification of Convention No. 144 is also a priority under the 2007 DWCP. In Bolivia, the promotion of social dialogue through the strengthening of tripartite consultation under Convention No. 144 is envisaged following the August 2008 referendum. Although it has expressed its intention to continue to examine the possibility of ratifying Convention No. 122 with the social partners, Argentina is the only MERCOSUR country that has not yet ratified the Convention. Similarly, Colombia is the only country of the Andean Community of Nations which has not ratified Convention No. 122.
- 38. In Asia, emphasis has been given to the translation of information materials on relevant international labour standards into local languages (Khmer, Laotian, Dari and Pashto), to facilitate the submission of instruments to the competent authorities in accordance with article 19, paragraph 5(b) and (c) of the Constitution. The ILO is providing assistance to facilitate the submission of Convention No. 144 to the Cambodian National Assembly. In Timor-Leste, the Government is due to propose the ratification of Convention No. 144 to the National Assembly. Singapore may also ratify the Convention in the near future. In Nepal, a booklet containing the texts of the instruments adopted by the Conference between 1995 and 2006 has been prepared for submission to Parliament, with particular emphasis on Convention No. 122 in light of the current process of labour market reform. It is anticipated that a new employment policy will be adopted in India in late 2008, in which context the application of Convention No. 122 is being promoted. Viet Nam has recently launched a revision process for its Labour Code, which is likely to include a chapter on employment promotion, which may improve the ratification prospects of Convention No. 122.
- **39.** Tripartite consultations in the context of Convention No. 144 could play an important role in mainstreaming a rights-based approach to development. Progress has been reported regarding the ratification of Convention No. 144 in Afghanistan (in June 2008, the Deputy Minister of Labour confirmed that the Cabinet had submitted formal proposals for the ratification of Conventions Nos 138, 144, 159, 182 and the 1997 Instrument of Amendment).
- **40.** The ILO Office in Suva has indicated that it will participate in the promotional efforts for the ratification and effective implementation the four priority Conventions in Pacific Island

countries. At present, of the eight Pacific Island countries, Fiji is the only one to have ratified Convention No. 144 and Papua New Guinea is the only one to have ratified Convention No. 122.

**41.** Concerning the Arab States, the information submitted in March 2008 remains unchanged.

#### 1.3. Promotion of the four most recent Conventions

Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

- 42. With its recent ratification by Indonesia (16 July 2008), 14 Members have now ratified Convention No. 185 or have made a declaration of provisional application. These Members include only four of the 64 Members that ratified the original Seafarers' Identity Documents Convention, 1958 (No. 108). Sixty Members are therefore still bound (under Article 6 of Convention No. 108) to allow seafarers (subject to a right of refusal in individual cases) to enter their territories for shore leave and other specified purposes if they hold a seafarer's identity document (SID) issued under that Convention. Essentially, Convention No. 185 was adopted because the SIDs issued under Convention No. 108 needed to be replaced by documents that meet modern security standards. The Office has been informed, however, that some Members are envisaging the ratification of Convention No. 185 in the future or are strengthening the security features of SIDs in line with the requirements of Convention No. 185. The Russian Federation informed the Office that the Government has been empowered to deposit an instrument of ratification and intends to do so as soon as it is able to fully comply with the technical requirements of the Convention. The Russian Federation is making good progress in this regard.
- 43. Information received by the Office indicates that some Members have technical objections with respect to the implementation of Convention No. 185, while other Members refer to problems in relation to their immigration policies. The Office is receiving valuable technical support from the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). An ISO/IEC working group is developing a biometric profile (compatible with the requirements of Convention No. 185) to define how to use biometrics to verify the identity of seafarers at the various stages of document issuance and inspection. Progress towards the ratification of Convention No. 185 may be slowed by the need for ratifying countries to decide to commit the necessary infrastructural resources. A way forward may be to promote the ILC resolution concerning technical cooperation relating to seafarers' identity documents (2003), adopted at the same time as the Convention, which urged Members "to agree among themselves on measures of cooperation which would:
  - (a) enable them to share their technology, expertise and resources, where appropriate;
  - (b) provide for countries with advanced technology and processes to assist Members that are less advanced in those areas" (paragraph 1).

#### Maritime Labour Convention, 2006

**44.** On the advice of the Officers of the 94th (Maritime) Session of the ILC, the ILO developed a five-year Action Plan, which it adopted in September 2006, to achieve rapid and widespread ratification and effective implementation of the Maritime Labour Convention, 2006 (MLC). This innovative Action Plan reflects a multi-pronged and multi-level approach involving international, regional and national promotional activities and requiring cooperation with sectoral experts and regional offices, in many cases linked to DWCPs. Importantly, the Action Plan includes specific targets or indicators regarding the

goals of ratification, to ensure entry into force, and effective implementation within the five-year period. The Action Plan demands a concentrated and strategic approach to promotion, which has involved:

- four high-level tripartite missions to Panama (two), the Philippines and the Russian Federation;
- six tripartite regional seminars held in all regions; and
- seven national tripartite seminars.

In addition, numerous individual presentations have been made at key international industry events and ILO-related conferences and meetings. Two important regional seminars (Germany/EU and Bahamas/Americas) are planned for 2008 and early 2009, as well as a number of national tripartite seminars. A mapping process is tracking the progress that is being made in 126 countries.

- **45.** With respect to the impact of these activities on ratification it is important to recall that the requirements for the entry into force of the MLC are ambitious: it must be ratified by at least 30 Members with a total share of the world gross tonnage of ships of at least 33 per cent. The Action Plan has specific strategic goals. The goal for the end of 2007 was at least ten ratifications or coverage of at least 15 per cent of the world gross tonnage. To date the Convention has been ratified by Liberia, Bahamas and the Marshall Islands, respectively the second, third and fourth largest flag States by gross tonnage. This means that flag States representing nearly 20 per cent of the world fleet gross tonnage had ratified the Convention by early 2008. In addition, as of September 2008, 65 Members have reported on their obligations under article 19, paragraph 5(b) of the Constitution. The MLC is currently under consideration for ratification in a number of major flag States. With respect to the overall goal of achieving entry into force by 2011, it should be noted that on 15 June 2007, the Council of the European Union adopted a decision authorizing all EU Member States to ratify the MLC in the interest of the European Community before 31 December 2010. In May 2008, the EU social partners signed an agreement to transpose the provisions of the MLC into EU law through an EU Directive. Industry initiatives are under way to incorporate the MLC's provisions into international collective agreements.
- **46.** In addition to promoting ratification, the Office has supported effective implementation, particularly in connection with the compliance and enforcement system established by the Convention. The Office followed up two key resolutions of the 94th (Maritime) Session of the ILC by holding a two-week international tripartite meeting of experts to review and adopt the Office's proposed guidelines for flag State inspections and port State control officers in September 2008. The meeting, with over 300 participants from all regions, successfully adopted international guidelines that are to be submitted to the Governing Body at its 303rd Session, <sup>24</sup> thereby achieving the Action Plan goals for 2008. With respect to the 2009 goals, when the guidelines have been published, they will be incorporated into the work that is already under way, in cooperation with the Turin Centre, to develop materials to train trainers on the MLC. A pilot training session is planned for the first quarter of 2009.

Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

**47.** Over the past year, efforts to promote the ratification of Convention No. 187 have yielded concrete results and the indications are that the ratification rate will rapidly increase.

<sup>&</sup>lt;sup>24</sup> See GB.303/STM/4/1/1 and GB.303/STM/4/1/2.

Convention No. 187 has now been ratified by seven member States <sup>25</sup> and will enter into force on 20 February 2009. Based on information received through government reports under article 19 of the Constitution on the submission of instruments to the competent authorities and for the preparation of the General Survey on occupational safety and health, the ratification process is in the final stages in eight countries <sup>26</sup> while another ten countries are considering ratification favourably. <sup>27</sup>

- **48.** In keeping with the strategic framework of the Programme and Budget for 2008–09, <sup>28</sup> Convention No. 187 and Recommendation No. 197 are central to the work of the ILO, particularly with regard to strengthening institutional capacity to improve occupational safety and health (OSH) worldwide. A four-step strategy has been developed in this context: (1) preparation of national OSH profiles; (2) review of national OSH situations and systems; (3) formulation and launching of national OSH programmes; and (4) review and reformulation of national OSH programmes.
- **49.** This strategy has been promoted at all relevant international conferences and symposia. including the XVIII World Congress on Safety and Health at Work, 2008, held in the Republic of Korea, and forms the basis for the Seoul Declaration on Safety and Health at Work, which calls for the ratification of Convention No. 187 as a priority. An Association of Southeast Asian Nations Occupational Safety and Health Network (ASEAN-OSHNET) workshop, held in Hanoi in May 2008, set the target of 50 per cent of ASEAN member States to develop and launch their national OSH profiles and programmes by 2009 and all ASEAN countries by 2012. In Eastern Europe and Central Asia, national OSH profiles have now been prepared for 11 countries. In the Commonwealth of Independent States (CIS), national OSH profiles have been finalized for Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, and the methodology has been promoted in Armenia, Azerbaijan and Georgia. The Russian Federation has prepared a draft national OSH programme. The ILO Guidelines on occupational safety and health management systems, ILO-OSH 2001 have become a new international standard. In Africa, targeted action is needed to include OSH in the DWCPs of most African countries. However, progress has been made in the development of a national profile in Burkina Faso, where the ratification process of Convention No. 187 is well advanced, and Nigeria. More limited progress has been made in South Asia. In Latin America, ten countries now have DWCPs with a safe work component.

Work in Fishing Convention, 2007 (No. 188)

50. Promotional activities for the early ratification and entry into force of the Work in Fishing Convention, 2007 (No. 188), included the holding of an Asian regional seminar on the Convention in Seoul in September 2008. Several countries indicated at the seminar that they envisaged coordinating work towards the implementation and ratification of both Convention No. 188 and the MLC. At least one country indicated that it expected to ratify Convention No. 188 by 2011. A major project to promote Convention No. 188 in Latin America and West Africa is being implemented with funding from Spain. The ILO Subregional Office in Lima has initiated tripartite discussions on the Convention in Peru

<sup>&</sup>lt;sup>25</sup> Cuba, Finland, Japan, Republic of Korea, Sweden, Czech Republic and United Kingdom.

<sup>&</sup>lt;sup>26</sup> Austria, Burkina Faso, Denmark, Republic of Moldova, Mongolia, Philippines, Serbia and Singapore.

<sup>&</sup>lt;sup>27</sup> Australia, Belgium, Cameroon, Cyprus, Lithuania, Malawi, Peru, Seychelles, Syrian Arab Republic and Zambia.

<sup>&</sup>lt;sup>28</sup> See the Programme and Budget for 2008–09, para. 202.

and Ecuador. A subregional seminar on the Convention is scheduled for October 2008 in West Africa.

- **51.** The Office has received requests for country-specific activities (for example, from India and Sri Lanka). There are plans to prepare interactive training material for use by the field standards specialists to promote the Convention. Finally, the advisory services offered in relation to the Convention include assistance to member States to undertake gap analysis at the national level and the preparation of informal opinions on legal questions relating to the provisions of the Convention.
- **52.** It is also to be noted that the European Commission presented in May 2008 a proposal for a Council Decision authorizing EU Member States to ratify Convention No. 188 in the interest of the European Community preferably before 2012. The European Parliament Committee on Employment and Social Affairs is currently preparing a draft report on the issue in support of the European Commission proposal. The final decision will have to be taken by the Council of the European Union.

### 2. Enhancing the impact of the standards system through technical cooperation

- 53. The standards strategy prioritizes technical cooperation activities to assist member States in the promotion, ratification and application of standards, thus resulting in their full implementation. Technical cooperation interventions should take into account the conclusions of the Cartier Working Group and focus on promoting the priority and most recently adopted Conventions. These interventions should also assist member States in giving effect to the comments of the supervisory bodies and support consultations with national constituents to identify implementation gaps.
- 54. This standards strategy component focuses on DWCPs, where they exist, as the ILO's main delivery mechanism for technical cooperation at the country level. It also aims to capitalize on recent developments within the United Nations and the broader development arena in order to mainstream international labour standards more effectively into the development architecture of specific countries. In order to pursue this long-term goal, NORMES has prioritized the strengthening of its strategic partnerships with the technical departments, field offices and external partners. The move towards a rights-based approach, decentralization, country programming and national ownership through alignment with national priorities emphasizes the importance of standards and social dialogue among the ILO's comparative advantages. The 2008 Declaration, with its emphasis on enhancing the ILO's capacity to assist member States, provides added weight to this component of the standards strategy.
- **55.** The standards strategy focuses on three main implementation mechanisms:
  - strategic interventions to address thematic priorities for the promotion, ratification and implementation of standards, at the international, regional and national levels;
  - the development of standards-related technical cooperation interventions within the DWCP framework; and
  - the mainstreaming of standards in broader country-level programming of technical cooperation (such as the Common Country Assessments (CCA), the United Nations Development Assistance Framework (UNDAF), Poverty Reduction Strategy Papers (PRSPs), and other major development initiatives).

#### 2.1. Progress in implementation

**56.** Since the endorsement of the standards strategy, substantial progress has been made in its implementation. Moreover, a significant improvement in the mainstreaming of standards in country programming is the inclusion of a new pre-defined priority at the country, subregional and regional levels in the IRIS Strategic Management Module concerning the ratification and application of international labour standards, based on the fact that standards are an integral and inseparable part of all ILO activities.

#### General strengthening of implementation capacity

- **57.** In 2005, NORMES established a departmental Task Force on Technical Cooperation, which has undertaken a series of initiatives to strengthen the Department's capacity for implementing the standards strategy, including through the strengthening of partnerships and collaboration with technical departments, including the Bureau of Programming and Management (PROGRAM) and the Partnerships and Development Cooperation Department (PARDEV).
- 58. The most important achievements include the publication of a good practice guide to promote international labour standards through technical cooperation, which was finalized in 2008 after extensive consultations with field specialists, technical departments and constituents. The guide provides headquarters staff, field specialists, partners and constituents with guidance on good practices and funding opportunities for the promotion and implementation of standards through technical cooperation. The guide, which is available in English, Spanish and French, has been distributed to staff and partners and will be made available to the 303rd Session of the Governing Body. <sup>29</sup>
- 59. Staff training is another crucial area for the implementation of the standards strategy. Members of the Task Force on Technical Cooperation have received comprehensive training on project design and management and resource mobilization (in collaboration with the Development Cooperation Branch (CODEV)). General orientation sessions are being held for NORMES staff. A series of training activities for tripartite constituents has also been organized by NORMES, in collaboration with the Turin Centre, to increase the capacity to promote and implement standards and fundamental principles and rights at work. A training session for headquarters and field staff is envisaged at the beginning of 2009.
- **60.** More specifically, in relation to the three main implementation mechanisms of the standards strategy, the results below have been achieved.

### Progress on specific interventions to address standards-related thematic priorities

61. NORMES has mobilized additional resources for technical cooperation programmes to enhance its knowledge base and promote and facilitate the implementation of international labour standards, focusing on the priority and recently adopted Conventions. This is exemplified by the mobilization of resources from ILO Members and other organizations for the rapid ratification and effective implementation of the MLC, in accordance with the 2006 Action Plan. Specific interventions include legislative reviews and gap analyses for certain African, Latin American and Asia–Pacific countries, undertaken by NORMES and supported by the European Commission.

<sup>&</sup>lt;sup>29</sup> ILO: Improving the impact of international labour standards through technical cooperation: A practice guide, ILO, Geneva, 2008.

- **62.** As noted above, activities for the promotion of Conventions Nos 122 and 144 include regional initiatives, such as networking, the translation of information and studies and workshops at the national level.
- **63.** NORMES is responding to an increasing volume of requests for technical assistance from governments and the social partners. Approximately US\$8.7 million has been raised to promote fundamental labour rights for indigenous and tribal peoples in Africa, Asia and Latin America, as well as the implementation gaps identified by the supervisory bodies in relation to the Indigenous and Tribal Peoples Convention, 1989 (No. 169). This could serve as a model for the Department in the development of similar interventions and shows the potential of resource mobilization in areas where the ILO has a clear standards-based mandate and comparative advantage.

### Progress on mainstreaming standards-related priorities in DWCPs

- **64.** In line with the 2008 Declaration, which recognizes that the Organization must "ensure the role of standards as a useful means of achieving the constitutional objectives of the Organization" <sup>30</sup> and that the ILO should "support and assist efforts by individual Members to make progress on a tripartite basis towards all the strategic objectives, through country programmes for decent work", 31 NORMES has developed a method aimed at ensuring that standards-related priorities are fully reflected in DWCPs and other country programmes. As part of the strategy and on the basis of information provided by the coordinators of the thematic teams and comments from the various regions, the regional focal points have drafted country profiles which serve as written input for DWCP country-level consultations with the national constituents. These profiles translate to the country level the priorities set by the Governing Body at its November 2007 and March 2008 sessions, with particular references to the conclusions of the Cartier Working Party and the ratification of the fundamental, priority and recent Conventions. The profiles emphasize the major standards-related implementation gaps and challenges identified by the supervisory bodies for specific countries and serve as guidance in prioritizing standards-related activities at the country level.
- **65.** A model country profile was developed for South Africa in the context of consultations with national constituents for the elaboration of a DWCP. NORMES fully participated in consultations at various levels throughout the process of the elaboration of the DWCP. This constitutes an example of good practice, which has been replicated in the elaboration of DWCPs for Botswana and Namibia.
- **66.** To ensure that standards priorities are reflected better in the DWCPs that are already being implemented, a process has been initiated to review the modalities for the quality assessment of DWCPs. Furthermore, the Governing Body has selected the "inclusion of international labour standards in DWCPs" as the next focus for a thematic evaluation, which will be discussed in March 2009 in the Committee on Technical Cooperation.
- 67. Some preliminary information can, however, be provided on the activities carried out so far in the context of the Quality Assessment Mechanism (QAM) for the evaluation of DWCPs. NORMES has reviewed 26 DWCPs since May 2007. The reviews showed that international labour standards were included in most DWCPs either as priorities, as strategies for, or indicators of, the implementation of other priorities, or as mere background guidance. However, in some cases there is no reference to international labour

<sup>&</sup>lt;sup>30</sup> 2008 Declaration Preamble.

<sup>31</sup> idem, Section II(A)(ii).

standards and the comments made by the Office in this regard do not seem to have been taken into account. In general, practices differ widely between regions and countries, and significant progress still needs to be made, particularly with regard to: the integration into DWCPs of the comments made by the ILO supervisory bodies, which provide an important basis for identifying decent work deficits and other related areas where national law and practice can be improved; the enhancement of techniques for integrating international labour standards into DWCPs, ensuring that references to international labour standards are sufficiently precise to facilitate the necessary action and that an integrated view of international labour standards is retained; and the involvement of standards specialists in the process of drafting DWCPs and national consultations at the earliest possible stage and the systematization of consultation with NORMES. The efforts made in this respect include the recent creation of a pre-defined priority series, which focuses on the ratification and application of international labour standards using the ILO Strategic Management Module, and the development of comprehensive country profiles, as indicated above, in the cases of South Africa, Botswana and Namibia.

### Progress in mainstreaming standards in country-level programming of technical cooperation

- 68. In order to mainstream standards beyond DWCPs, the Office, through NORMES, is actively engaged in the ILO's contribution to the work of the United Nations Development Group (UNDG), which is mandated to improve the effectiveness of the UN at the country level. The appointment of the ILO as one of the results coordinators of the UNDG Working Group on Programming Issues will offer useful opportunities to promote the mainstreaming of international labour standards in the broader UN-reform process. In addition, the Director of NORMES participated in the Third Inter-Agency Workshop on Implementing a Human Rights-based Approach (HRBA) to Development and emphasized the opportunity to include international labour standards as an integral part of the system-wide HRBA. The ILO has proposed that an Inter-Agency Human Rights Network should be set up to ensure a more effective strategy for mainstreaming human rights, including relevant international labour standards, in country programmes.
- **69.** The tangible outputs produced by NORMES, in the form of tools, training materials and good practices for the inclusion of standards in DWCPs, CCA/UNDAF and PRSPs, include:
  - a contribution to the UN meeting on the Law of the Sea and other relevant meetings of UN organizations and regional organizations, which resulted in the inclusion, in the Resolution on Oceans and the Law of the Sea, of a paragraph calling on all States to ratify the MLC and Conventions Nos 185 and 188; and
  - participation in the development and implementation of the UNDG Guidelines on indigenous peoples' issues and the publication of the practice guide referred to above to promote the inclusion of indigenous peoples in national poverty reduction strategies.

### 3. Enhanced access to, and broader visibility of, the standards system

- **70.** In order to enhance the visibility of the standards system, the following three objectives have been pursued:
  - streamlining the supply of reports by governments through an innovative use of information technology;

- providing enhanced access to information on international labour standards stored in a reliable and up to date knowledge base; and
- improving the visibility of international labour standards by reaching out to the ILO's tripartite constituents and the broader public.

# 3.1. Streamlining the supply of reports by governments through an innovative use of information technology

- 71. At the specific request of certain governments, the Office gave preliminary consideration to the development of an online reporting system, which would function through an Internet application, bearing in mind the need to address the difficulties encountered by certain countries in relation to the use of information technology. The main objective of such a system would be to facilitate and streamline the reporting by governments, which should then translate into a higher number of reports received by the Office. The development of an online reporting system, which was described in a paper submitted to the Governing Body at its 301st Session (March 2008), would include:
  - information relating to reporting obligations;
  - collection of data and storage of reports for member States;
  - availability of all report forms, and the possibility of replying to questions, online;
  - all the comments of the supervisory bodies, and historical data for each country.
- 72. Such a comprehensive online reporting system would require major technological investment and development in the coming years to expand the current databases, which would form the basis of the system and would therefore have to be gradually upgraded to support and store the information generated by the new system. An online reporting system would require a unified data model, which would offer better search facilities across the application and lower maintenance costs. It should be emphasized that resources will be necessary to finance this overall and integrated upgrade and to ensure the complete migration of all the databases to a new platform, which should result in greater data convergence.
- 73. The Office is fully aware that, at present, a significant number of the ILO member States do not have access to a reliable Internet connection and that downloading documents remains a challenge for governments and the social partners because of the lack of computer capacity and good communication facilities in general. In this regard, it should be emphasized that the possibility of sending paper reports will always be available for countries that wish to do so.

# 3.2. Enhanced access to information on international labour standards through a reliable and up to date knowledge base

74. The NORMES web site and its four databases continue to be the ILO's most frequently visited department-specific information products. However, at present, it should be recalled that the existence of four different databases (ILOLEX, APPLIS, LIBSYND and NATLEX) leads to data duplication, with the four different development environments increasing the cost of maintenance. The current databases thus require consolidation and upgrading in order to maintain the necessary quality of service, further streamline the

information they contain and offer better research facilities, while reducing maintenance costs. This would enable the Department to provide comprehensive country profiles on international labour standards offering a dynamic picture of the international labour standards situation by country. Such information is even more important considering that, under the follow-up to the Declaration, NORMES will have to be ready to report the development of indicators relating to the legal framework in order to support the measurement of progress towards decent work.

### 3.3. Reaching the ILO's tripartite constituents and the broader public

- 75. In recent months, NORMES has focused on coordination with other departments and increased cooperation with the Department of Communication and Public Information (DCOMM), resulting in a more effective communication strategy to promote the visibility, ratification and implementation of international labour standards. This involves updating existing products, such as brochures, CDs, targeted materials for specific key audiences, additional media materials (including press releases, features, video news releases and other products), mobilizing the field network of communication persons and ongoing work to enhance the NORMES web site. In this context, NORMES is currently revising and updating its key publication from 2005 *Rules of the game: A brief introduction to international labour standards* to include the latest developments, such as the adoption of the MLC, Conventions Nos 187 and 188, Recommendation No. 198, and the 2008 Declaration. The revised edition should be released in 2009.
- **76.** In November 2007, for the first time, the report of the Conference Committee on the Application of Standards was published separately from the traditional *Record of Proceedings*. To improve the new publication, it was decided to add a section this year containing the observations of the CEACR concerning the 25 individual cases discussed by the Conference Committee on the Application of Standards so that the substantive discussion of these cases can be followed more easily.
- 77. In 2008, NORMES has continued to produce several tools for the dissemination of information on international labour standards to a wide audience, including: the 2008 version of its International Labour Standards Electronic Library (ILSE); the 2008 version of the Application of International Labour Standards CD-ROM; and the 2008 Electronic Library on Freedom of Association and Collective Bargaining. Recent publications also include a working paper on "Industrial relations in the public sector", as well as the publications on indigenous peoples and the MLC, referred to above.
- **78.** In addition, information on international labour standards has continued to be disseminated through the training activities of the Turin Centre and the training courses delivered by the standards specialists in the field. For 2008, 30 training activities on international labour standards were delivered for all regions.
- 79. The Committee on Legal Issues and International Labour Standards may wish to:
  - (i) take note of the information contained in Part II of the present document, and give any guidance that it considers appropriate for the further work of the Office;

(ii) recommend to the Governing Body that it invite the Office to continue to implement the interim plan of action approved at its 300th Session (November 2007), in the light of the LILS Committee's discussions and the consultations on the matter, and to report on the next steps taken for its implementation, as regards the four components of the standards strategy, at the 304th Session of the Governing Body (March 2009).

Geneva, 29 October 2008.

Points for decision: Paragraph 19;

Paragraph 79.