

**Fifteenth sitting**

Saturday, 13 June 2015, 10.15 a.m.

*President: Ms Jaunzeme***REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION, DISCUSSION AND APPROVAL****The PRESIDENT**

I now turn to the next item of business before us, which is the submission, discussion and approval of the report of the Committee on the Application of Standards. This report is published in *Provisional Record* No. 14, parts 1 and 2.

I invite the Officers of the Committee to come up to the podium. They are Ms Gaviria (Colombia), Chairperson; Ms Regenbogen (Canada), Employer Vice-Chairperson; Mr Veyrier (France), Worker Vice-Chairperson; and Ms Mulindeti (Government member, Zambia), the Committee's Reporter, who will be the first to take the floor.

Ms MULINETI (Reporter for the Committee on the Application of Standards)

It is a pleasure and an honour to present to the plenary the report of the Committee on the Application of Standards. The Committee is a standing body of the Conference, empowered under article 7 of its Standing Orders to examine the measures taken by States to implement the Conventions that they have voluntarily ratified. It also examines the manner in which States fulfil their reporting and other standards-related obligations as provided for under the ILO Constitution.

The Committee provides a unique forum at the international level as it gathers actors in the real economy drawn from all the regions of the world who have sat alongside one another during times of economic booms and busts.

Significant work by all parties went towards the preparation for this session of the Committee in the framework of the standards initiative and the follow-up to the 2012 session of the Committee. A number of important meetings took place this year.

First, let me refer to the February 2015 tripartite meeting on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike and the modalities and practices of strike action at the national level, during which the Workers' and Employers' groups presented a joint statement concerning a package of measures intended to provide a constructive way forward for the questions that had arisen with respect to the role of the supervisory system. During the February 2015 tripartite meeting, the Government group had also expressed its common position on these matters.

Another important meeting was that of the informal tripartite working group on working methods of the Committee on the Application of Standards, which met in March 2015 and held very constructive discussions. It considered the issues of the establishment of the list of cases and the adoption of conclusions. It also examined the possible implications on the functioning of the Committee of the two-week session of the Conference. The informal working group adopted a series of recommendations on these issues which were transmitted to the Governing Body. On the basis of the results of these meetings, the Governing Body was able, in March 2015, to adopt a comprehensive decision embracing all the matters that had been put on the table in relation to the standards initiative. It decided not to pursue, for the time being, any action in accordance with article 37 of the Constitution to address the interpretation question concerning Convention No. 87 in relation to the right to strike.

The Governing Body also decided to establish a tripartite working group under the Standards Review Mechanism and to request the Chairperson of the Committee of Experts and the Chairperson of the Committee on Freedom of Association to jointly prepare a report on the interrelationship, functioning and possible improvement of the various supervisory procedures.

Finally, the Governing Body called on all parties concerned to contribute to the successful conclusion of the work of the Committee at the current session of the Conference. I am therefore happy to be in a position to report that the Committee was able, at this session, to conclude its work successfully.

The report before the plenary is divided into two parts. The first part contains the general report of the Committee, which includes a record of its general discussion and its discussion of the General Survey of the Committee of Experts. The second part consists of a detailed record of the discussion of individual cases, in particular the 24 individual cases examined by the Committee on compliance with ratified Conventions and the related conclusions adopted for each of these cases.

I will recall the salient features of the Committee's discussions in respect of these questions. Let me start by indicating that the Committee was able to adopt a list of 24 individual cases for discussion. In doing so, it pursued its efforts towards achieving the balance sought between the fundamental governance and technical Conventions as well as geographical balance and balance between developed and developing countries – the latter being a new

criteria resulting from the discussions within the informal tripartite working group on working methods of the Committee which met in March 2015. Although challenged by time constraints, the Committee was able to examine those 24 cases and adopt consensual conclusions in all cases. It regretted that the Government of Kazakhstan failed to take part in the discussion concerning the application by its country of Convention No. 87. This case has been mentioned in a special paragraph of the Committee's report. The Committee also decided to include a special paragraph on the application by Mauritania of the Forced Labour Convention, 1930 (No. 29) and by Swaziland of Convention No. 87.

I will now briefly refer to the Committee's general discussion, during which the fruitful dialogue between the Committee and the Committee of Experts was highlighted. The Committee works closely with, and to a large extent on the basis of, the report of the Committee of Experts. Furthermore, it is an established practice for both Committees to have direct exchanges on issues of common interest. To this end, the Vice-Chairpersons of the Committee engaged in an exchange of views with the members of the Committee of Experts at its last session in November–December 2014.

Subsequently, this year, the Committee had the pleasure of welcoming the Chairperson of the Committee of Experts, who attended the first days of its sessions as an observer with an opportunity to address the Committee. The discussions placed emphasis on the importance of the interaction between the two committees. The Committee also examined the Committee of Experts' General Survey concerning the right of association and rural workers' organizations instruments, namely the Right of Association (Agriculture) Convention, 1921 (No. 11), the Rural Workers' Organisations Convention, 1975 (No. 141), and the Rural Workers' Organisations Recommendation, 1975 (No. 149). This General Survey, together with its discussion by the Committee and the outcome adopted following that discussion will inform the recurrent discussion on the strategic objective of fundamental principles and rights at work, to be held at the 106th Session (2017) of the Conference under the follow-up to the 2008 Social Justice Declaration. In the outcome it adopted following its discussion of the General Survey, the Committee highlighted the link with other topical issues currently being tackled by the ILO, such as the transition from the informal to the formal economy, labour migration, economic development, poverty reduction, non-standard forms of employment, decent work in global supply chains, and significant environmental and climatic pressures. It noted the persistence of obstacles to the implementation of the instruments concerned, and stressed that agricultural and rural workers should enjoy full freedom of association in law and in practice, in common with other workers and employers.

The Committee considered that the Office should provide the opportunity for member States to share experiences and information concerning the ways in which the instruments may be implemented in practice and conduct capacity building to enable existing rural workers' organizations to more effectively represent workers, in particular through collective bargaining. The importance of labour inspection to facilitate and monitor the application of legislation and policy in rural areas was also emphasized.

I would like to thank the Chairperson, Ms Gaviria, along with the Employers' and Workers' Vice-Chairpersons, Ms Regenbogen and Mr Veyrier. I would like to now recommend that the Conference approve the report of the Committee on the Application of Standards.

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

On behalf of the Employers' group, I commend the report of the Committee on the Application of Standards to this plenary today and recommend its approval. As you know, the Committee on the Application of Standards is one of the two pillars of the supervisory system that supervises the application of Conventions ratified by member States. It is a key element of the supervisory system and therefore its work is crucial to the proper and credible operation of the supervision of international labour standards.

The work of the Committee took place this year in a constructive and open atmosphere. We are very pleased to report that the Committee on the Application of Standards demonstrated its ability to lead a meaningful and results-oriented tripartite dialogue. It reaffirmed its role as a cornerstone of the ILO supervisory system, where the ILO's tripartite constituents debate the application of international labour standards on the basis of the Committee of Experts' technical preparatory work. While divergences on the substantial issues remain among the tripartite constituents, these were voiced in a spirit of mutual respect, constructive dialogue and understanding.

The Committee on the Application of Standards successfully adapted its work to the shortened two-week session of the ILC this year. This new format did not impede the work of the Committee in our view, and this is in large part due to the excellent time management by the Chairperson of our Committee and the full cooperation of the members of the Committee who took the floor to make interventions. The Employers took the discussion of the general part of the experts' report. We took this opportunity to highlight a number of positive measures included in the 2015 Committee of Experts' report and to make some recommendations on areas where the experts' work could be improved.

First, we welcome the Committee of Experts' clarification of its mandate, which is contained in paragraph 29 of the experts' report. We think that this is a very helpful clarification and trust that it will be visibly reproduced in future experts' reports. The Employers' group also welcomes the fact that there is ongoing, close cooperation that has been established between the Committee on the Application of Standards, the experts and the Office, and that this close cooperation was reflected by the experts in their report. We appreciated the presence of the Chairperson of the Committee of Experts, Mr Koroma, in our debate. The constant and direct dialogue between the Committee on the Application of Standards and the Committee of Experts along with representatives of the secretariat of the Office is of the utmost importance to facilitate the experts' understanding of the realities and needs of the users of the supervisory system – the users of the supervisory system being the tripartite constituents. The supervisory system, in our view, must have and con-

tinue to have the trust and support of the tripartite partners.

We are hopeful that possibilities for additional dialogue between the members of the Committee on the Application of Standards, the experts and the Office will continue to be explored. We also appreciate that the Committee of Experts has taken close note of the work of the Committee on the Application of Standards in its report, including taking note of divergent views of the tripartite partners on issues related to interpretation and application of Conventions. The Employers' group welcomed the increased focus on essential application and compliance issues in the report. The Employers noted that the experts' report was shortened this year, which has been achieved in part by the more frequent use of direct requests rather than observations. In this regard, the Employers requested that we have continued collaboration and information on the use of observations and direct requests.

We noted, positively, an increased number of comments from the social partners included and considered by the experts in their report. In our view, this shows a greater interest of the social partners in standards supervision, which is in turn an indicator for the increased relevance of the Committee of Experts' work. We trust that the Office will continue to provide capacity building to the social partners for a better and more efficient contribution to the work of the experts.

Therefore, on balance, we highlighted a number of very positive developments in the experts' report and welcome these new measures. We did, however, also make a note of an area that continues to give us concern. The experts' interpretation on the right to strike in the context of Convention No. 87 continued to be of concern to the Employers' group. In the 2015 report, 30 out of 45 experts' observations and almost all of the experts' 45 direct requests regarding the application of Convention No. 87 dealt either in part or in whole with the issue of the right to strike. As a result, this continues to be a concern and an area in which the Workers and Employers have a divergence of opinion. As this house is aware, the Employers' view on this issue is that the matters relating to the right to strike fall outside of the scope of Convention No. 87 and outside of the experts' mandate to direct governments with respect to specific action in that regard. Furthermore, as the Governments underlined in their February and March statements, the scope and conditions of the right to strike may be regulated at the national level. Therefore, in the Employers' view, governments concerned can legitimately determine the terms and conditions of the right to strike at national level.

Turning now to the discussion of the General Survey: this was the occasion to reflect on the range of challenges in relation to freedom of association and collective bargaining in the rural economy. Rural workers often are not able to enjoy full freedom of association rights. The Employers express their view that most obstacles to the implementation of the instruments were not legal challenges but related instead to the nature of the rural economy, such as geographical isolation, lack of access to technology and means of communication, lack of capacity in the labour inspectorate, low levels of skills and education, and the high incidence of child labour, forced labour and discrimination.

Reference was made to the need for an overall strategy to include measures to promote investment,

entrepreneurship, and modernization of means and methods of production which ensures the conditions of an enabling environment for agricultural enterprises. In terms of ILO means of action, the Committee considered that the Office should conduct background work with a view to understanding better the barriers to ratification and implementation of the instruments and enabling a consideration of the up-to-dateness of the instruments concerned to ensure that international labour standards effectively respond to the many and varied challenges for rural communities. An appropriate process in the Employers' view could be undertaken with the Standards Review Mechanism, to consider both instruments specific to agriculture and the rural economy as well as other relevant instruments of broader application.

I will spend a few moments now talking about the discussion of the individual country cases in respect of the application of Conventions. The list of 24 country cases was negotiated in good faith and was delivered by the proposed deadline. We view this as a very positive measure and an indication of the spirit of cooperation and collaboration that existed between the social partners this year.

The Employers note that it is unfortunate that we did not have an opportunity within the 24 cases to discuss any cases of progress. We trust that next year further efforts will be devoted to include cases of progress among the 24 cases to showcase good practice in the application of international labour standards and to commend, on a tripartite basis, governments' efforts in this regard.

Perhaps one of the most important positive steps taken in our Committee was the way in which conclusions were drafted. According to the February agreement, the Workers and Employers played an active role in drafting the conclusions. We saw real tripartite ownership of the outcomes of the Committee as a result.

The conclusions of the Committee in relation to the individual cases reflect only consensus recommendations. This is now clear with the insertion of a new paragraph at the beginning of the section that discusses the individual cases, which clarifies for the reader of the report the scope of conclusions within the Committee. This clarifying note reads: "The Committee on the Application of Standards (CAS) has adopted short, clear and straightforward conclusions. Conclusions identify what is expected from governments to apply ratified Conventions in a clear and unambiguous way. Conclusions reflect concrete steps to address compliance issues. The CAS has adopted conclusions on the basis of consensus. The CAS has only reached conclusions that fall within the scope of the Convention being examined. If the workers, employers and/or governments had divergent views, this has been reflected in the CAS record of proceedings, not in the conclusions." Therefore, controversial issues or issues of disagreements or divergence of views are not covered by the conclusions. Therefore, divergence of views with respect to our differing opinion on the inclusion of the right to strike in Convention No. 87 is not reflected in the conclusions. Instead, these divergent views are set out in the Record of Proceedings, both in Part 1, the General Report, and Part 2, the report of the discussion of individual cases. In their operational part, the conclusions adopted are short, clear and straightforward, thereby providing clear direction to governments on the concrete

measures that must be taken in order to achieve compliance with the Convention in question.

We think that this is an achievement within the Committee that should be commended and that heralds a step in a very positive, collaborative and constructive direction.

We would highlight in respect of a couple of individual cases some areas in which the conclusions reflect very serious issues of non-compliance with obligations under international labour standards. In particular, we highlight the case of the Bolivarian Republic of Venezuela, Convention No. 87, which related to the continued acts of interference, aggression and stigmatization against FEDECAMARAS, its affiliated organizations and their leaders, as conducted by the Government as well as the exclusion of FEDECAMARAS from the social dialogue process.

In addition, the case of El Salvador, considering the application of Convention No. 87, concerned the lack of autonomy of workers' and employers' organizations to select their representatives on tripartite bodies, where, due to the interference of the Government, the Higher Labour Council could not meet and has not met for the last two years.

The case of Mauritius, in relation to the application of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), concerned the Government's undue interference in private-sector collective bargaining that is damaging to the employers' and workers' ability to negotiate a collective agreement in good faith.

Finally, the case of Kazakhstan, in relation to Convention No. 87, concerned, among other issues, a serious infringement of the employers' freedom of association as a result of the adoption, in July 2013, of the Law on the National Chamber of Entrepreneurs. Furthermore, we deeply regret the fact that the Government of Kazakhstan did not attend the discussion of the case, as a result of which the case was referred to in a special paragraph of our report.

In conclusion, the Employers' group feels very positive about the way in which the Committee on the Application of Standards operated this year. We held rich and diverse debates, we reached consensus whenever possible and we highlighted our divergence of views when necessary. We think that this process is healthy, and we think that this process of open dialogue and debate will only strengthen the supervisory system and not in any way take away from its authority.

In our view, the supervisory system is here to guide member States on key matters relating to the governance of labour and social policy, thus enabling member States to find ways to promote the adequate protection of workers and promote full employment through sustainable enterprises.

It would be remiss if I did not take a moment to express our deep thanks and appreciation for Ms Doumbia-Henry. This is Ms Doumbia-Henry's last session of the Conference as Director of the International Labour Standards Department. As most here know, Ms Doumbia-Henry joined the ILO in 1986, serving in a number of positions before being appointed to the post of Director of the International Labour Standards Department in 2004. Ms Doumbia-Henry is now moving to face a new opportunity as the President of the World Maritime University. She will be, in our view, an invaluable addition to this fine institution, as she was instrumental in developing the Maritime Labour Convention, 2006

(MLC, 2006), as well as collaborating with ship-owners' and seafarers' organizations to ensure effective national implementation of the Convention. We must thank Ms Doumbia-Henry not only for her technical competence, but also, above all, for her deep commitment to the work of the supervisory system as well as her deep and firm understanding of the importance of tripartism. This understanding assisted the parties in moving forward in a constructive spirit. Also, with an innovative and pragmatic spirit, she has been the engine of many positive developments within the supervisory system, within the Standards Department and within this house more broadly. On a personal level, her energy and leadership allowed for the innovation and modernization of the working methods of the work of our Committee, as well as inspiring parties to attempt to match her tireless energy and taking us through late working evening sessions. We wish her all of the best in her future endeavours.

Also, a special thank you to our Chairperson, Ms Gaviria, from the Government of Colombia, for the fair parliamentary running of the Committee's meetings this year and her effective time management. Without her able skills in this regard, the work of our Committee would not have been as effective and constructive.

We also thank our Reporter, Ms Mulindeti, who this year ensured that the Committee's work was properly kept on record, and thank her for her assistance in the adoption of conclusions.

I must also take a moment to thank the secretariat of the International Labour Standards Department who assisted us in our work. Without their tireless work and their enthusiasm, the work of our Committee would not be possible, so we thank them for all of their hard work.

It is my privilege to represent the Employers' group in the work of the Committee this year and I wish to take a moment to thank the Employers' group as a whole for their support, their hard work, their careful analysis of the legal issues and the input of information regarding situations at national level.

I want to specifically thank the Employers' working group, which included Alberto Echavarría, Juan Mailhos, John Kloosterman, Renate Hornung-Draus, Françoise Andrieu, Paul Mackay, Nick Huffer, Guido Ricci, Sandra D'Amico and Sifiso Lukhele, for the help they provided in the preparation and presentation of cases, as well as for the background and information regarding their regional circumstances.

I would also like to express my deep gratitude for the invaluable support given by Maria Paz Anzorreguy, Alessandra Assenza and Roberto Suárez Santos of the IOE, Christian Hess of ACT/EMP and Catalina Peraffán of ANDI Colombia. Certainly, without their very helpful support and their preparation, this job and our work would not have been possible.

Last and certainly, by no means least, I thank Mr Veyrier, the Worker spokesperson, and his team for their constructive collaboration. I believe we have had an extremely constructive session and in large part that goes to the very positive spirit in which the Workers approached our work and the tasks before us this year. So I thank them for all of their hard work.

Finally, in closing, let me reiterate the Employers' very deep support for the supervisory system and

express our intention that we look forward to continued collaboration and cooperation with the Committee of Experts. Furthermore, we look forward to continuing to work within our role in the supervisory system related to the application of Conventions by member States. This work is so very important and we are grateful and privileged to be a part of it.

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

First of all I would like to thank all my colleagues from the Workers' group, including, of course, those involved in the ongoing preparations for the Committee on the Application of Standards and who have played an absolutely essential role in our work. They did me the honour of entrusting me with the role of spokesperson for them and I am very proud of that.

I would also like to thank our Chairperson, Ms Gaviria, and our Reporter, Ms Mulindeti, without whom we would not have been able to carry out our work so efficiently. Lastly, I would like to pay tribute to the Governments and the Employers for their full involvement in the intensive work which was compressed into two weeks.

In particular, I would like to pay my respects to Ms Regembogen, the Employer spokesperson, because I appreciated – as well as having cause to experience – not only her tenacity and her expertise but also her grasp of what is involved in debate and consensus. I think it could be said that we have just been given another example of that. So it is up to me now, as it was on previous occasions, to demonstrate equal tenacity and, naturally, an equal grasp of debate and consensus. I hope that I was able to achieve the same level of expertise.

The Workers' group welcomes the fact that the Committee on the Application of Standards was able to complete its work and is therefore in a position to propose the approval of its report containing, inter alia, the conclusions concerning the 24 cases that it examined.

After three Conference sessions dominated by the "standards crisis", after intense debate and controversial discussions involving all the constituents, there was an urgent need to re-establish our Organization's function of examination and supervision.

In many regions of the world, conflicts, war and their accompanying phenomena of barbarity and terror are a continuing scourge. Labour conditions which involve injustice, hardship and privation for large numbers of people, as referred to in the ILO Constitution, and which the ILO seeks to eliminate still prevail and no country is spared. Inequalities have never been so great.

More than 200 million workers are without employment. Precariousness is becoming widespread. In Europe, social protection systems are impacted by austerity policies. However, the essential function of the Committee on the Application of Standards is itself attached to the Preamble of the ILO Constitution. That task is to ensure that no nation can adopt conditions of labour which are not truly humane. It was therefore a pressing duty for us to re-establish the functioning of our Committee. There could be no better place than here to demonstrate that through bipartite negotiations and tripartite social dialogue the most difficult conflicts could be resolved.

The decision taken by the Governing Body last March, on the basis of the agreement between the Employers and the Workers and statements made by Governments, required us to take an important first step. We managed to do this but we still have a long way to go and the roadmap still involves stages which will be difficult. This roadmap is particularly based on the mandate of the Committee of Experts recalled in paragraph 29 of its report. It takes into account the concerns of all parties, including those of the Employers concerning the legal scope of the experts' observations. Accordingly, the Committee of Experts must be able to continue its work in a spirit of cooperation with the Committee on the Application of Standards, with independence, objectivity and impartiality.

And, if the Employers have told us that they did not always agree with some of the experts' observations, believe me when I say that this is also the case for the Workers, who would sometimes expect firmer, more precise observations from the experts, albeit not always reflecting, of course, the views expressed by the Employers and the Governments. As the revolutionaries of 1789 proclaimed, a society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all. This is a universal principle which is true for the Workers here, but it is also true for the Employers and the Governments.

The Employers recognize that workers have the right to collective action, and one of the ways in which this is expressed is the right to strike. They have repeatedly told us, however, that they did not consider that the right to strike can be derived from the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). But repetition does not always succeed in getting the message across. In this case, the repetition by the Employers does nothing to weaken the Workers' conviction that the right to strike is an essential part of freedom of association and the right to collective bargaining, as established by Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). If it is necessary for us in turn to repeat this, we will do so as many times as is needed. The right to strike, like many other social rights, before being recognized and accepted as a right, often of a constitutional nature because of being tied to the exercise of democracy, had to be fought for by the workers. The right to strike is a victory won by the working class after fighting tooth and nail.

History has shown us that banning the exercise of legitimate rights never prevents vigorous protest. I would even add that banning the exercise of legitimate rights is often what causes vigorous protest. Nowadays it is precisely where the right to strike is unlawfully banned that workers tend to have recourse to it, because they have no other way of being heard.

So I would make an appeal for reflection rather than repetition. Recognizing the right to strike means recognizing the right of workers to organize and to bargain collectively on equal terms with the employers. The right to strike is not an end in itself; it is a tool used in the last resort. It jeopardizes the worker's wage, which is his only resource in exchange for his labour. This is why I insist: recognizing the right to strike is having the courage of one's convictions, showing a real commitment to collective bargaining as the means to settle labour dis-

putes through compromise agreements moving towards social progress, taking into account the needs of the real, productive economy driven by enterprise.

With the exception of the cases which have been given particular attention, where it was agreed to devote a special paragraph or decide on a high-level mission, I will not single out individual cases here because I have no wish to create any other hierarchy than that established in the supervisory system.

The Committee on the Application of Standards proposes to the Conference to adopt its conclusions on several cases concerning the protection of freedom of association. The primary goal of these conclusions is to protect real and effective freedom, particularly in those countries where workers are still suffering discrimination and sometimes violent repression, simply because they believed they were protected in terms of fundamental principles and rights at work. We can only invite and urge the governments concerned to take urgent action. We appeal to you: do not remain on the sidelines of the international community that upholds the observance of human rights.

In the same way, our conclusions urge countries where serious violations of elementary rights persist – in the form of forced labour, all forms of slavery, child labour and the worst forms thereof – to act without delay to prohibit them. Do not seek refuge in expressions of surprise or incomprehension or by claiming economic or cultural problems. However real these difficulties may be, they cannot be used as an excuse for failing to observe human rights. The ILO community invites you to avail yourselves of all the means of assistance that it can and does offer you. Do not miss out on this.

I put particular emphasis on the cases which are the subject of special paragraphs: Swaziland, where trade unionists are imprisoned; Kazakhstan, for Convention No. 87; and Mauritania, for the Forced Labour Convention, 1930 (No. 29), despite the fact that we have just launched the campaign for the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930. A high-level mission to Bangladesh also has to be organized as soon as possible.

“Each Member shall declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment”. This reads almost like poetry and sounds like utopia. But it is merely the opening provision of the Employment Policy Convention, 1964 (No. 122), which was adopted at this very Conference more than 50 years ago. So how is it that two European countries have come under examination this year by the Committee on the Application of Standards on account of their policies in this sphere? As I have already said, no country today is untouched by unemployment, precarity and poverty.

More than ten years ago, the ILO was wondering about the reasons for the weakness of the social dimension of globalization. In 2008, it reaffirmed its commitment to social justice. In 2009, in reaction to the financial crisis, we adopted, on the initiative of the Employers’ group, the Global Jobs Pact, which set as its objective the re-establishment of a productive economy geared to meeting the needs of our peoples and ensuring decent work. But governments, which are in disarray, gripped by the turmoil of the economic crisis and caught in the clutches of

uncontrolled financial markets, seem to have lost sight of these commitments.

Our conclusions on these cases appeal for men and women, social justice, and employment in quantity and quality to be placed once again at the heart of economic policy objectives, rather than just being a secondary consideration or an adjustment variable. These conclusions call for the spirit that inspires the ILO, that of genuine social dialogue based on consultation, collective bargaining and freedom of association, to prevail over short-term financial accounting. Workers have no intention of paying with their rights and their social protection for a crisis which was not of their making but stemmed from the capitalist system.

What we are saying for these two countries, as in the other cases, must serve as a lesson for many other countries, whether or not they were included in the list of 24 cases examined this year. Let there be no mistake: the Workers’ group feels an extraordinary degree of solidarity.

Important conclusions were adopted concerning the rural and agricultural sector, which represents a major proportion of the world’s population. Very many in that sector, however, are denied the effective application of labour standards, while being exposed to specific risks connected with health, occupational safety, access to education, forced labour and child labour. And yet this sector is directly impacted by major issues such as food security, climate change and supply chains. The conclusions, in particular, emphasize the promotion of the right to organize collectively on the basis of the principles of freedom of association and collective bargaining, which is of vital importance in ensuring that these workers are consulted and listened to with regard to any policy which concerns them.

A few weeks ago, and even when the Committee on the Application of Standards got under way, we did not know what the results would be in view of the damage caused by the tensions of the previous years. The fact that we are in a position today to present our report for adoption is a success. We owe this success to the men and women assembled here who are convinced that international labour standards, drafted and implemented by means of tripartism, carry with them the hope of social justice. The Workers’ group invites you to adopt the report.

Finally, I could not finish without mentioning Ms Doumbia-Henry. First of all, I am very happy that it falls to me to say these words on behalf of the Workers. Cleo, if I may call her that, has always shown extreme, constant and resolute commitment towards international labour standards. As Director of the Department that bears that fine name, her authority derives from her fierce determination to find solutions to the most difficult situations and conflicts without ever undermining the status of the rights established by labour standards. There is no doubt that she and her team have played just as crucial a role in the success of our work in what is such an important year. In leaving to embark on other projects, she can be happy in the knowledge that she has fulfilled the humanist assignment she set herself.

Original Spanish: Ms GAVIRIA (Chairperson of the Committee on the Application of Standards)

I have the honour of taking the floor to make a few comments on the work of the Committee on the

Application of Standards, which it has been my privilege to chair.

Firstly, I would like to thank the Governments for the trust that they placed in me in nominating me to be Chairperson of the Committee. I have been very pleased to see the enormous amount of interest that the constituents of this Organization have shown in the work of the Committee, which is the cornerstone of the ILO supervisory system. This Committee is a tripartite body in which the Organization is able to discuss the application of international labour standards and the operation of the supervisory system.

The conclusions adopted by the Committee and the technical work done by the Committee of Experts, together with the recommendations of the Committee on the Freedom of Association and technical assistance from the Office, are essential tools for the application of international labour standards by member States.

The Committee has repeatedly demonstrated its usefulness in terms of social dialogue and supporting the tripartite constituents in complying with international labour standards. A spirit of dialogue has made it possible to hold discussions of a very high technical level, an outstanding example of which was the examination of the General Survey prepared by the Committee of Experts concerning the right of association and rural workers' organizations instruments. The Committee adopted conclusions by consensus at the end of the discussion of the General Survey and hopes that full account can be taken of the results of its work in the context of the recurrent discussion on fundamental principles and rights at work, which will take place at the 106th Session of the Conference in 2017.

With regard to the individual cases considered, the positive point has been made that a list of 24 cases was adopted at the beginning of the Committee's work within the established deadlines and this enabled all the cases to be discussed. The selected cases dealt with the application of fundamental Conventions and Conventions of a technical and promotional nature, and also reflected a regional balance. The extensive participation of the Governments and social partners in the Committee's discussions clearly demonstrates their solid commitment to the ILO and its supervisory system. The Committee adopted conclusions on all the cases which were considered. I trust that those countries whose cases were examined were able to find in the discussions that took place the necessary guidance to avail themselves of technical assistance from the ILO if need be and will be able to find solutions to all the issues raised.

I should like to express my thanks for the presence of Judge Koroma, the Chairperson of the Committee of Experts, who once again attended the sessions of the Conference Committee. The presence of the Chairperson of the Committee of Experts during the Committee's work is an indication of the strong relationship between the two committees based on a spirit of mutual respect, cooperation and responsibility.

I would like to convey special thanks to the President and Vice-Presidents of the Conference for visiting the Committee. It was a pleasure to be able to welcome you. I would also like to thank Ms Mulindeti, the Reporter of our Committee, for doing her job so efficiently. Thank you also to the Employer Vice-Chairperson, Ms Regenbogen, and the

Worker Vice-Chairperson, Mr Veyrier, and to your teams for the courteous cooperation which you showed me as Committee Chairperson.

I would like to pay a very special tribute to the representative of the Secretary-General, Ms Doumbia-Henry, to whom we have said "see you soon" with great regret but also with deep affection. Her unfailing dedication, firmness, professionalism, cooperation and tenacity have all been essential to the work of the Committee and in ensuring compliance with international labour standards. As we all know, this will be the last Conference at which Ms Doumbia-Henry will be assisting us in that role.

I would also like to thank the other members of the secretariat for their commitment and for the complex tasks that they have accomplished. Lastly, I would like to compliment the interpreters on their excellent work. It only remains for me to invite you to approve the Committee's report.

The PRESIDENT

I now open the discussion on the Report of the Committee on the Application of Standards.

Ms ARMELLIN (*Government, Italy*)

On behalf of the Government group, I wish to express the Governments' profound satisfaction that the Committee on the Application of Standards successfully concluded its work in the current session of the International Labour Conference, and was able to adopt consensual conclusions on all of the cases under its consideration.

The Government group notes that, during the various proceedings of the Committee on the Application of Standards, the statement of the Government group, delivered during the February 2015 Tripartite Meeting on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike and the modalities and practices of strike action at national level, was repeatedly quoted.

We would like to recall that the common position of the Government group is expressed in a comprehensive and balanced statement that should be quoted in its entirety to avoid any misunderstanding.

On behalf of the Government group, I would therefore like to state again our common position: "The Government group recognizes that the right to strike is linked to freedom of association, which is a fundamental principle and right at work of the ILO. The Government group specifically recognizes that, without protecting the right to strike, freedom of association, in particular the right to organize activities for the purpose of promoting and protecting workers' interests, cannot be fully realized. However, we also note that the right to strike, albeit part of the fundamental principles and rights at work of the ILO, is not an absolute right. The scope and conditions of this right are regulated at the national level."

I also wish to join previous speakers in thanking, on behalf of the Governments, Ms Doumbia-Henry for her professionalism, determination, tireless work and leadership at the head of one of the most complex departments of a complex organization. Dear Cleo, we will miss you very much and wish you all the best in your future life.

Mr SAHA (*Worker, India*)

Representing the Indian working class, I speak on the very important subject of the right to strike.

To strike is the most powerful weapon of the democratic trade union movement. In the course of united strike action, the working class realizes that they are not alone and that unity makes them powerful, while the employers are shown that it is the workers and not the employers who are the real masters. The working class has earned the right to strike as an industrial action after long struggles and sacrifices; no one has gifted them that right. The right to strike is organically linked to the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and will remain an inalienable part of the trade-union struggle of working people in a class-divided society.

Now the ruling class has launched an attack to take away the right to strike by eliminating decades-old ILO jurisprudence. Questions arise concerning the motive behind the attack. The decadent and moribund capitalist economies are in an unprecedented systemic crisis that is deeper than that of the great crisis of the 1930s. This crisis of the world market economy is insoluble, as it is inherent in the capitalist system itself.

The birth of the ILO is associated with the establishment of the USSR, which emancipated the Russian working class from capitalist exploitation. The strong presence of the powerful and inspiring Socialist Bloc helped the working class to achieve ILO instruments granting the right to association and protecting the right to organize and collective bargaining, together with the core and other ILO Conventions.

Now, with the setback in the socialist camp, the emergence of a unipolar world, with globalization and finance capital-driven neoliberal policies, accompanied by the ruthless exploitation of the working class of both the industrially developed and developing countries, has resulted in the rapid impoverishment of the exploited common people.

In such a situation, the working class is confronting a global challenge and there is an imperative need for a united struggle. The ruling class fears that, if workers continue to be allowed to exercise their fundamental rights, including the right to strike, the exploitative system of capitalism is bound to be endangered, and this is why there is this current onslaught against workers' fundamental right to strike.

It is relevant to quote Lenin on the question of the right to strike. He said: "However, strikes, which arise out of the very nature of capitalist society signify the beginning of the working-class struggle against that system of society ... Strikes, therefore, always instil fear into the capitalists, because they begin to undermine their supremacy ... Every strike brings thoughts of socialism very forcibly to the worker's mind, thoughts of the struggle of the entire working class for emancipation from the oppression of capital."

The move to refer the question of the right to strike to the International Court of Justice is not acceptable. In class-divided capitalist societies, the judiciary is one of the four pillars of the capitalist system. We firmly believe that the right to strike, earned by the working class at the cost of the lives of martyrs all over the world, cannot be left to the judiciary of a class-divided social system. What has been earned by this struggle must be protected by struggle alone.

I conclude by urging workers all over the world to take part in mighty struggles, including strike action under worthy leadership, to protect the right to strike and other fundamental rights, and also to expose class collaborationists to show that the workers' movement can be strengthened and replace the exploitative system to establish a society free from exploitation of man by man.

Mr WABBA (*Worker, Nigeria*)

The work of the ILO as a tripartite standard-setting institution is important for the processes and struggles to achieve a world where the gains of prosperity are shared and enjoyed in peace and freedom.

For persons bonded, trapped and trafficked into forced labour, as well as victims of practices of modern slavery, in the present precarious times to anticipate the future seems only imaginable in another life. However, we are glad to see that this Committee, through its hard work and report, has effectively demonstrated the essence of our humanity and conscience by dealing strongly with the issues around and connected to forced labour and the contemporary forms of slavery.

We are hopeful that the governments concerned will implement the specific and practical actions contained in the conclusions. While commending the Committee for its wonderful contribution to the cause of social justice, I urge all to continue to support the initiatives aimed at combating forced labour and contemporary forms of slavery. Working towards the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, at national level would be one such effort.

Original Spanish: Mr MANCILLA GARCÍA (Worker, Guatemala)

On behalf of the Workers' delegates of Guatemala, I would like to place on record, as this 104th Session of the International Labour Conference draws to a close, our satisfaction with the important work that is being carried out by the Committee on the Application of Standards in the Conference, where tripartite discussions on highly sensitive, important issues affecting workers in the Americas take place.

It is true that in our countries the basic and fundamental rights of workers are often flagrantly and systematically violated. That is why we consider it important that, after all the hard efforts of the Committee on the Application of Standards, the decisions issued and adopted by it should serve as the instrument to guide member States and their governments in assessing and readjusting their initiatives for ensuring compliance with the labour and human rights encompassing the principles of freedom, solidarity and social justice. These great banners of the ILO were created precisely to provide equality for those without it.

We recall that, for over 18 years, Guatemala has regularly been called to appear before this Committee because of its failure to respect freedom of association, in violation of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Nevertheless, we maintain the strong hope that our authorities will act on the Committee's recommendations and that very soon things might be different.

We commend the work undertaken by the Committee on the Application of Standards, and would also like to join in the expressions of gratitude to

Ms Doumbia-Henry for her efforts over the years in the Committee, and particularly for her support to the various missions carried out in my country, Guatemala.

Original French: Ms CAPPUCCIO (Worker, Italy)

During the intense work of the Committee on the Application of Standards, and after rigorous and careful preparation, we had a sizeable discussion on the Employment Policy Convention, 1964 (No. 122). Attention had been drawn to the main aim of the Convention, which was for States to pursue an active policy designed to promote full, productive and freely chosen employment. The provisions of the Convention are more relevant today than ever before.

However, it is clear that the austerity policies introduced by European governments in 2008 to meet reduced budget targets have jeopardized the pursuit of these aims, affecting workers and the quality of their jobs, rights, lives and wages.

In addition, in a number of cases the crisis has been used as a pretext of emergency to change the structure of tripartite negotiations, industrial relations, social dialogue and collective bargaining, which rely on freedom of association and the right to strike – the fundamental and universal human rights at the heart of any democratic system. Here I would like to highlight the recent joint declaration between the Italian Government and trade unions on the right to strike as a universal right.

We would emphasize that only the strengthening, implementation and defence of these rights can effectively combat inequality, unemployment, poverty and social instability, together with strong macroeconomic policy, public investment and industrial policy programmes.

In accordance with the provisions of the 2013 Oslo Declaration, which is based on the aims of Convention No. 122, we stress the primary importance of the role of the ILO in promoting partnerships and strong and responsible social dialogue at all levels. This aids the fair distribution of wealth, social progress and stability, with particular attention given to the abovementioned fundamental principles and rights at the heart of the Decent Work Agenda. This is the response required of the international community to ensure – finally – the creation of a more just world. Here, if we truly want to, we can help make that happen.

Mr YOSHIDA (Worker, Japan)

Two of the cases discussed by the Committee for the region of Asia and the Pacific are related to occupational safety and health: the Safety and Health in Mines Convention, 1995 (No. 176), with regard to the Philippines; and the Labour Inspection Convention, 1947 (No. 81), with regard to India.

Occupational safety and health is a prerequisite for ensuring a decent working environment. Without adequate safety and health policies and their effective implementation, work might be harmful and hazardous, and in many cases result in the loss of rights of working men and women.

From this point of view, it was very significant that we discussed Convention No. 176 with regard to the Philippines, and adopted conclusions with clear guidelines for the Government to improve safety and health in workplaces, particularly in unregulated small-scale mining.

In ensuring that the laws and regulations on safety and health are fully respected in workplaces, labour inspection should play a crucial role. Labour inspection exposes violations, not only of occupational safety and health regulations but also in the form of human trafficking and forced labour, in addition to violations of freedom of association.

Convention No. 81 is one of the governance Conventions of the ILO and discussions on this Convention confirm the importance of labour inspection, not only in India but also at the global level.

The Committee also discussed the Occupational Safety and Health Convention, 1981 (No. 155), with regard to Turkey. This basic Convention requires ratifying governments to consult both employers' and workers' organizations in formulating, implementing and reviewing national occupational health and working environment policies. However, disappointingly, this Convention has been ratified by only 63 Member countries. I urge the governments of the other 122 countries, including Japan, to make every possible effort to authorize ratification of the Convention.

In concluding, I would like to express my wish that the Committee's discussions this year will encourage governments, employers and trade unions to work together to realize decent work for all, and I believe it will surely do so.

Original Spanish: Ms LONDOÑO (Government, Colombia)

May I begin, on behalf of the Government of Colombia, by expressing special thanks to the outgoing Director of the International Labour Standards Department, Ms Doumbia-Henry, for her tremendously diligent contributions. Her support, from the ILO perspective, which closely monitors anything to do with the regulations, has been extremely valuable. Colombia has come a long way, as the international community knows, and faces major challenges ahead, but the role of the ILO and of Ms Doumbia-Henry has been very important for all of us. We are well aware of this and will continue forging ahead in this direction with enormous commitment to increasing social dialogue, which will really help ensure that the tripartism promoted in this house will be maintained over time. We wish Ms Doumbia-Henry all the best in her new responsibilities and extend our heartfelt thanks to her.

The PRESIDENT

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

If there are no objections, may I take it that the Conference approves the report of the Committee on the Application of Standards, as contained in *Provisional Record* No. 14, parts 1 and 2?

(The report is approved.)

I should like to take a moment to thank the Officers and members of this Committee for their work, as well as the secretariat, which has been particularly diligent in supporting the Committee. I was also able to observe that the atmosphere in the Committee on the Application of Standards was particularly constructive this session. Many thanks to all of you for your commitment, and congratulations on the results.

**COMPLAINT OF NON-OBSERVANCE UNDER ARTICLE
26(4) OF THE CONSTITUTION OF THE ILO AGAINST THE
BOLIVARIAN REPUBLIC OF VENEZUELA**

The PRESIDENT

I understand that Ms Pérez, Employers' delegate from the Bolivarian Republic of Venezuela, wishes to make a statement.

Original Spanish: Ms PÉREZ (Employer, Bolivarian Republic of Venezuela)

I represent the employers of the Bolivarian Republic of Venezuela and, together with another 34 Employers' delegates who are duly accredited to this session of the International Labour Conference, we have decided to launch a complaint of non-observance under article 26 of the ILO Constitution against the Government of the Bolivarian Republic of Venezuela to request the establishment of a commission of inquiry based on its continued failure to comply with the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), which were ratified by the Bolivarian Republic of Venezuela in 1944, 1982 and 1983, respectively.

The complaint is based on the following facts: personal attacks and police surveillance of FEDECAMARAS leaders; physical attacks and acts of vandalism against its headquarters; the exclusion of FEDECAMARAS from the social dialogue procedures; a lack of consultation with FEDECAMARAS on laws that affect the labour and economic interests of the employers, and adoption without consultation of mechanisms to increase the minimum wage; campaigns of discreditation, verbal aggression and harassment by officials of the Government against FEDECAMARAS and its affiliates, such as the National Commerce and Services Council (CONSECOMERCIO) and the Venezuelan Confederation of Industry (CONINDUSTRIA); and taking of land from former leaders of FEDECAMARAS or its affiliates.

These facts were considered by the Committee on the Application of Standards in its report that was approved at this plenary session and in the report of the 2014 high-level tripartite mission, and there has been no evidence that the Government is willing to take into account the recommendations.

We therefore ask the Conference to handle this complaint, which we hereby formally submit, under article 26 of the ILO Constitution.

The PRESIDENT

I understand that this is a complaint of non-observance under article 26, paragraph 4, of the Constitution of the ILO against the Bolivarian Republic of Venezuela. It has been duly noted and it will be deferred to the Officers of the Governing Body for the appropriate action.

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

We reject the request for a commission of inquiry against our Government which was raised in the room by a group of Employers' delegates under article 26 of the ILO Constitution.

The arguments put forward are the same as those in the complaint in Case No. 2254 which gave rise

to previous requests by FEDECAMARAS and the International Organisation of Employers (IOE) before the Committee on Freedom of Association. They are the same allegations considered by the high-level tripartite mission which visited the Bolivarian Republic of Venezuela in January 2014, and they are also the same facts that were discussed by the Committee on the Application of Standards at this session of the International Labour Conference, whose report and conclusions have been adopted. All of these facts have been and are being raised before the separate supervisory bodies of this Organization, and our Government continues to respond.

The Government of the Bolivarian Republic of Venezuela has stated and demonstrated that all of these allegations against us are riddled with lies and purely party-political interests as a result of the anti-democratic aspirations of the political and business organization FEDECAMARAS, which has unfortunately been supported by the IOE. We deplore the fact that FEDECAMARAS is once again attempting to use the ILO as a political platform for attacking the Government of the Bolivarian Republic of Venezuela.

It should not be forgotten that FEDECAMARAS led a coup d'état and sabotaged the petroleum industry in 2002 and 2003 and that they have now been linked to the economic war which has been conducted against the Government of the Bolivarian Republic of Venezuela.

Our Government continues to respond to the complaint in Case No. 2254 before the Committee on Freedom of Association and will also respond to all of these facts in the detailed report on Convention No. 87 which the Committee on the Application of Standards requested at this session of the International Labour Conference.

Accordingly, the Government of the Bolivarian Republic of Venezuela vehemently opposes the commission of inquiry requested by the delegates from the Employers' group. We request that this statement be included in the *Record of Proceedings*.

Mr LÓPEZ (*Worker, Bolivarian Republic of Venezuela*)

As a spokesperson for working men and women and a member of the Bolivarian Socialist Workers' Confederation (CBST), the majority and most representative union, I denounce before this Conference the fact that FEDECAMARAS has a political agenda, directed from outside our country, under which it is attacking our country for the immense progress it has achieved in improving the rights of working men and women and in guaranteeing the fair distribution of wealth. Its intention is to put an end to the tremendous social achievements conceived and implemented by Commander Hugo Chávez and continued under Nicolás Maduro, who was born working class and is now President of the Republic.

There is continuous social dialogue in our country, but FEDECAMARAS has excluded itself from this in-depth and wide-ranging dialogue because it is not interested in it. It only seeks to put an end to the Bolivarian revolution in order to return to the dark neoliberal agenda that has done so much damage to workers around the world.

Finally, we firmly reject the interference in the internal affairs of the Bolivarian Republic of Venezuela and we call on FEDECAMARAS to return to

in-depth, wide-ranging social dialogue and to give up its strategy of political confrontation.

Original Spanish: Mr GAMBERA (Worker, Uruguay)

At this session of the Conference, there was an extensive report from the representatives of the sectors and also from the Chairperson of the Committee on the Application of Standards, in which we managed to come up with a list of 24 countries through good-faith negotiations. It has also been stated that we reached conclusions which reflected the consensus achieved. However, obviously, in some cases – and particularly in this one – some were not entirely convinced by the conclusions reached, but in order to achieve consensus and in the spirit of good faith we did approve them. It is regrettable that once again this Conference is being used to bring up matters which should be settled by the Venezuelans themselves, under the democracy prevailing in the Bolivarian Republic of Venezuela, by the elected Government, which has the support of its people. Actually, in Spanish, in Uruguay, we call what has just happened “backdoor dealings”. After negotiating in good faith and reaching consensus, this act of sabotage is undermining the fundamental principle that must underpin tripartism – good faith. We note that that good faith appears to have been violated just now, and the workers of the Americas will continue to defend all of our democracies, including the Bolivarian Republic of Venezuela, and the right of the Venezuelan people to self-determination and the right to take their own decisions.

Original Spanish: Mr CASTILLO SANTANA (Government, Cuba)

The Government delegation of the Republic of Cuba would like to support the statement made by the Government delegation of the Bolivarian Republic of Venezuela. We would also like to reject this fresh attempt to continue to escalate a case which, quite apart from the fact that it has been brought up on a regular basis, is one which is obviously political. The Government of the Bolivarian Republic of Venezuela has many, many times expressed its firm political will and commitment to tripartite dialogue that does not exclude anyone or make distinctions between people.

As the delegates who followed the debates in the Committee on the Application of Standards will recall, the Venezuelan Government responded in detail to all the observations made during the Committee’s consideration of the case. Therefore, the Cuban delegation believes that there is no justification or grounds for proceeding to a commission of inquiry or for artificially keeping a case like this on the agenda.

The Government of Cuba rejects the use, in this or any other forum of a United Nations agency, of double standards in assessing the actions of countries and the artificial politicization of a situation to orchestrate campaigns to discredit sovereign States.

Original French: Mr IKO (Worker, Benin)

I worked in the Committee on the Application of Standards and, with insight and a spirit of negotiation, we managed to deal with the various problems arising with respect to the Bolivarian Republic of Venezuela. To my mind, the debate was concluded and I am disappointed to find that a group of employers from the Bolivarian Republic of Venezuela are coming back to the fray. This relentless insist-

ence is not justified. This proposal shows once again the political motivation that is behind the attacks against the Bolivarian Republic of Venezuela within this assembly. It is also intended to discredit the country, and follows in the same vein as the various attacks that have taken place previously. It also discredits the President of the Bolivarian Republic of Venezuela, Mr Maduro. And, African workers, meeting at the World Federation of Trade Unions, among other forums, cannot accept that.

As far as we know, in the Bolivarian Republic of Venezuela there is a broad social dialogue which is open to everyone through presidential and governmental councils in which employers and workers participate. The Government and workers of the Bolivarian Republic of Venezuela have shown during this session of the Conference, which is coming to a close, that there are no problems with or proceedings against the employers of FEDECAMARAS, which to our understanding has always opposed the Government.

We therefore support the President and the Government of the Bolivarian Republic of Venezuela. We support the representative of the workers from the Bolivarian Republic of Venezuela in rejecting the commission of inquiry that was requested by the delegates of the Employers’ group.

Original Spanish: Ms CHACÓN BRAVO (Worker, Cuba)

The Confederation of Workers of Cuba, representing the workers of Cuba at this session of the Conference, firmly rejects the proposal to set up a commission of inquiry against the Government of the Bolivarian Republic of Venezuela.

We consider that this proposal is politically motivated and intended to discredit the Bolivarian process and the Government of the Bolivarian Republic of Venezuela. This country, together with its workers, has worked hard to reverse the dramatic situation that prevailed before the triumph of the revolution and to realize the claims of the workers and trade unions in the application and defence of their rights. These efforts are being realized through a broad and inclusive social dialogue with the participation of both workers and employers. The statements made by Government and Workers’ delegates today have shown that the complaints of FEDECAMARAS concerning persecution and attacks against its members are not based on reality, thereby showing that they are governed by political motives against the Government. There are facts that prove this, as was said by the delegate of the Venezuelan workers and others.

The delegation of Cuban workers resolutely supports the Government and the Worker representative in rejecting the proposal put forward by the Employers to establish a commission of inquiry concerning the Bolivarian Republic of Venezuela.

Original Spanish: Ms RODRÍGUEZ GONZÁLEZ (Worker, Costa Rica)

We regret the situation that is occurring with regard to the Government of the Bolivarian Republic of Venezuela as a result of its constant struggle on behalf of the most dispossessed classes, which is an inconvenience for those who have always held power.

At the same time, we must not forget the workers in Europe and America in the nineteenth and part of the twentieth centuries when trade unions were banned and, what is more, forming workers’ coalitions

tions and unions and going on strike were punishable by imprisonment. The martyrs of the working class did not allow themselves to be intimidated by such a ban, which dated from the Napoleonic Code. They organized themselves in order to fight for what is now a fundamental right of workers. In Costa Rica, strikes in public services have always been forbidden, because in the private sector there are almost no trade unions. But, with respect, we did not resign ourselves to what the employers wanted, condemned to a natural and unavoidable fate. We did not give up. For over 60 years, when dialogue has not been possible, we have gone on strike, although the strikes have repeatedly been declared illegal.

The right to strike is inseparable from freedom of association; the right to strike equals freedom from pressure and freedom of expression for the working class. We will defend this fundamental right, without which the working class would be unable to defend its freedom.

TRANSITION FROM THE INFORMAL TO THE FORMAL ECONOMY RECOMMENDATION: SIGNING

The PRESIDENT

I now have a pleasant task in what has become almost an ILO tradition in recent years: the signing, with the Director-General, of newly adopted instruments.

I invite the Director-General, Mr Ryder, to accompany me to the desk to sign the new Recommendation concerning the transition from the informal to the formal economy.

(Signature of the Recommendation.)

It is a true honour for me to have put my name to this new ILO instrument, which will undoubtedly guide our member States through the essential transition towards better working conditions worldwide.

CLOSING STATEMENTS

The PRESIDENT

The time has come for us to move to the closing ceremony of our Conference. I invite my fellow Officers, in turn, to take the floor and address the Conference.

Ms GOLDBERG (*Employer Vice-President of the Conference*)

It has been a great honour for me to serve my group as Employer Vice-President of the 104th Session of the International Labour Conference. It has also been a very great pleasure, and for that I thank the President and my fellow Vice-Presidents from the Workers' and Government groups for the good humour, the good will and the collaborative spirit in which we have operated. Let me also thank the Office, and particularly our colleagues from the Protocol staff for their superb support. They have taken very good care of us.

This has been the first ILC operating under the reforms adopted by the Governing Body aimed at having a shorter and more productive Conference. From my own perspective, having sat here and having seen the smooth running of the plenary, I can attest to the success of this experiment. Even more importantly, we have seen that all of our substantive committees were able to arrive at successful conclusions. The success of this new format is due to all of you – to the Office and the group secretariats,

whose support and assistance have been critical and on whom much of the logistical burden has fallen; to the Officers, committee chairpersons and vice-chairpersons and others who are responsible for time management; and to all of you, who exercised commendable discipline in keeping time in your speeches so that everyone who wished to speak in plenary was able to do so. Of course, every innovation can be improved upon – whether by technology, prior consultation, more work in between sessions – and the Employers pledge our assistance and support for doing just that in the coming year so that, if possible, the 2016 ILC will be even more of a success than this one has been.

So much for format. Format and substance are closely related, but the heart of our achievements here this year has been substantive. We heard a number of plenary speakers in these two weeks alluding to the serious difficulties experienced in previous years in the working of the Committee on the Application of Standards. But, as we have just heard, after serious and strenuous efforts by all the parties, by, in some cases agreeing to disagree and to move on, they have arrived at a solid common understanding and the three groups agreed on a way forward. As a result, as we have just heard, the CAS operated this year in a spirit of constructive collaboration and achieved important results. Again, on behalf of the Employers' group, I pledge our continuing support for the ILO supervisory machinery and our continuing cooperation in dealing with the issues of the CAS as we move forward.

Listening to your interventions in the plenary, I have also been struck by how many of you have stressed the importance of the subjects under discussion in the Committees – not just because they happen to be on the agenda this year, but because they are important to the realities on the ground. We deal a lot in words here and it is all too easy to get caught up in the words. Words are important, but the ones we use in Geneva are often at a high level of abstraction and aspiration. The real challenge is to transform these abstractions and aspirations into policies and practices that affect the lives of real people, both workers and employers, in the countries we are all going home to.

It was perhaps a fortunate coincidence this year that the three subjects we considered – the transition to the formal economy, the relationship between small and medium-sized enterprises, and employment creation and the work of the ILO in the area of labour protection – are importantly and intimately related, both to each other and to your realities on the ground. Hopefully, we will be able to leverage this convergence and subject matter to maximize the impact of both ILO resources and constituent efforts.

The adoption of the Recommendation on the transition from the informal to the formal economy is not just an important milestone for the ILO. As the Committee's Reporter said yesterday, it is a historic landmark in that it is the first international instrument to comprehensively address the scope of informality in its entirety. As we seek to improve the lives of millions of people trapped in informality and poverty, the ILO has offered now some practical guidance to constituents, including on ways to improve the business environment, to encourage entrepreneurship and to address such vital issues as extension of property rights, access to education, access to financial services, investment and infra-

structure, and the need to remove unnecessary administrative and fiscal barriers to formality.

These concerns are congruent with the conclusions of the general discussion on SMEs, which, as so many speakers have said, are the backbone of virtually every economy in the world and are therefore the key to economic development and social progress. We are pleased to see the ways in which this general discussion on SMEs has built on the approach to sustainable enterprises that we adopted in 2007.

An important part of that framework for sustainable enterprises, of course, addresses the subjects that were central to our recurrent discussion on labour protection. As we all know, the goal of cyclical recurrent discussions, initiated as a follow-up to the 2008 ILO Declaration on Social Justice for a Fair Globalization, is to identify the extent to which ILO action has been successful, based on the experience both of the Office and of the constituents, with a view to building on successes and learning lessons for future action. This Committee, as we heard yesterday, dealt with some very difficult issues, including working time, health and safety, maternity leave and wage policies. But the constituents managed to work constructively and reach consensus. We need now to ensure that their hard work will result in effective ILO action that meets the needs of all constituents, but that I personally believe especially resonate in the context of the needs of SMEs and the transition to formality.

Finally, a brief word about the future. We have heard from many of you that the future of work is not only an important subject to discuss in the future, but that it has arrived. As the Director-General has said, it is futile to resist change, but it is up to us to shape it. I assure you that the Employers' group is ready and willing to join you and our colleagues across the aisle and throughout the house in this effort to do so.

Original French: Mr THIBAUT (Worker Vice-President)

It is a great honour and pleasure to conduct, on behalf of the Workers, a preliminary evaluation of the work of the 104th Session of the International Labour Conference.

Before doing so, I would first like to thank my fellow delegates of the Workers' group for having nominated me as the Vice-President of the Conference.

I would also like to applaud the spirit in which our President, Ms Jaunzeme, has led our work and the friendly atmosphere that has reigned among the Officers of the Conference. Together with Mr Mero and Ms Goldberg, I think that we have formed a harmonious team in line with the tripartism of the ILO.

That said, I will now present the evaluation and the first lessons that the Workers have drawn from this 104th Session of the Conference.

The Workers' group welcomes the adoption of the Transition from the Informal to the Formal Economy Recommendation. Workers in the informal economy make up more than half of the workforce worldwide and few of them enjoy decent working conditions. The instrument that we adopted yesterday is the first instrument developed by the ILO on this subject. The Recommendation provides an integrated strategic framework on the policies that need to be implemented at the national level in order to facilitate the transition to the formal economy

and decent work. Our group is particularly happy to see that the Recommendation recognizes the importance of rights and social protection in the implementation of policies which enable the formalization of work. In this regard, extending fundamental rights, social security, maternity protection, occupational safety and health and minimum wages to workers in the informal economy is particularly important. We now invite the member States to work together with employers and unions in order to implement this Recommendation.

I had the pleasure, together with my colleagues, of visiting the Committee on the Application of Standards. It was a great relief to see that this Committee, which is at the heart of the standard-setting system and where workers the world over come to expose violations of their rights, has resumed its capacity to examine the cases submitted to it. Conclusions were reached on all of the cases as a result of direct negotiations between the spokespersons. The Workers, Employers and Governments will no doubt take the time to evaluate this year's results with a view to further improving the Committee's working methods in the future.

Regarding the conclusions of the Committee on SMEs and Employment Creation, the Workers' group initially expressed regret at the fact that the tentative conclusions submitted to the Committee Drafting Committee contained no reference to the quality of work in SMEs. Although the text submitted to the Conference for adoption restores a degree of balance, we nevertheless would like to recall that, as far as our group is concerned, the added value of the ILO's work should be the promotion of decent work in SMEs, including through collective bargaining. It is on this basis that we will evaluate the ILO's follow-up to these conclusions. We welcome the fact that the conclusions recognize the need to expand work on the promotion of cooperatives, a field that has too long been neglected. With an eye to the discussion next year, we also welcome the work envisaged on supply chains, SMEs' access to markets, and the improvement of working conditions. We also support the planned research on the impact of collective bargaining on working conditions in SMEs.

The Committee for the Recurrent Discussion on Social Protection (Labour Protection) discussed four important subjects: wage policies, working-time arrangements, occupational safety and health, and maternity protection. These areas are closely linked and mutually reinforcing: starvation wages often force workers to accept excessive working hours, which increases the risks to their health. The requirement to provide maternity protection is all too often weakened through the low salary policies and precariousness of employment that affect women. Unhealthy and inappropriate working places endanger maternal and infant health. Non-standard forms of employment contribute to the exclusion of millions of workers from the social protection which is due to them. The conclusions adopted yesterday demonstrate that the protection of workers requires comprehensive regulation achieved through collective bargaining. Our group would like to reiterate the importance which it attaches to an evaluation of the need to develop new international labour standards on temporary and fixed-term contracts, and to an analysis of the challenges for ensuring a good work-life balance.

Lastly, we welcome the admission of the Cook Islands to the ILO, and the adoption of the Programme and Budget proposals for 2016–17.

The work of the Conference has therefore demonstrated that it is possible to reach compromises on important subjects. However, this should not detract from a situation which is deteriorating for a large number of workers. Everything would suggest that the world as we know it is not sustainable. The exceptional length and systemic nature of the 2008 crisis was the culmination of the collapse of a model which was socially unjust, environmentally unsustainable, and economically ineffective. The shock of this crisis over the last seven years has highlighted an absolute need for a change of model, while at the same time reinforcing the implementation of international labour standards.

Just as it is necessary to take urgent and coordinated measures to preserve our environment and our ecosystem, we also need increased awareness and an unwavering political determination to ensure that workers' rights do not become a mere adjustment variable in international trade. One minister said that in order to reach an agreement on the reduction of greenhouse gases at the Paris Summit in December, small-scale economic interests would have to give way to large-scale climate interests. It is also high time for small-scale economic and financial interests to give way to social rights. The workers of the world will make their contribution to the climate summit, which must not fail, given the urgency and the high stakes.

The discussions on supply chains which have taken place within various Conference Committees have provided evidence, if any were needed, of the need to ensure that multinational enterprises are accountable at every stage of their business dealings. This, I am glad to say, was also the message from the President of France two days ago.

You have had the opportunity to hear the experiences shared by the Worker representatives of a large number of countries from all continents. Many of them urged States and employers to take stock of the situation and wake up to the fact that the world, as it is now stands, will not be sustainable for future generations if we do not abide by the Philadelphia Declaration. I wish to endorse their statements and I hope that they will be taken into consideration.

In his opening statement, the Chairperson of our group, Mr Cortebeek, rightly recalled certain excerpts from the ILO's fundamental texts: "labour is not a commodity" and "freedom of expression and of association are essential to sustained progress". However, do we not systematically speak about the "labour market"? Have we not, over the years, seen repeated violations of freedom of expression and of association in many countries?

Many workers in the world feel that they have less value than most raw materials. The labour market is all too often viewed in the same way as the banana market or the market for domestic appliances, without considering the human dimension.

How can we justify the fact that, as the ILO reaches its centenary, half the world's population live in countries that have not yet ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)?

It is only through open and sincere collective bargaining that we can hope to find answers to the

challenges of our times. However, this does not always work, either because the will to negotiate is not shared or because the interests attached to the subjects submitted for discussion are too contradictory. In such situations, strike action is a democratic means of expression and action for workers. That is the whole point of Convention No. 87, which includes the right to strike under freedom of association. No worker goes on strike for the sheer pleasure of it. It is always the result of due consideration and reflection, and is motivated by the defence of the legitimate and shared interests of the workers participating in a collective movement.

The future of enterprises is particularly threatened by the monetization of the economy, the introduction of unfair competition, and corruption or fiscal fraud which weaken States and their administrations and public services.

History teaches us that strikes have been particularly appropriate and decisive in achieving freedom and democracy, and in accelerating social progress. The ILO supported the representatives of democratic movements during the dark hours of fascism in Europe; it played a decisive role in upholding freedom of association and the right to strike of Polish workers in the 1970s and 80s; and more recently of the Tunisian workers who defeated dictatorship.

I think I can say on behalf of the Workers' delegates that they will show solidarity and respond whenever the right to strike and freedom of association are attacked in the world.

Wherever workers live in poverty and precariousness, democracy is eroded and, with it, the capacity of humanity to live in respect and tolerance towards cultural and historical diversity. Whenever countries are riven by conflict, it is the workers who pay the highest price: poverty, destitution and exile are the evils that pervade their daily lives.

Through the report on the situation of workers of the occupied Arab territories, this Conference has again underscored the need for peace, to which this region of the world aspires. It is surely time to move from words to action and to support the legitimate aspiration of the Palestinians to have their own state alongside the State of Israel, in accordance with the resolutions of the UN.

Where the dignity of workers is flouted, tensions, sectarianism and inward-looking societies flourish, to the great satisfaction of organizations which use racism and xenophobia as their ideological and electoral capital. The Workers' delegates do not wish to see this on the horizon. We have the ILO's centenary on our horizon.

The Conference has widely approved the proposals of the Director-General, Mr Ryder, to consider developments in the world of work, and the means and the approach that the ILO should develop to better serve social progress.

The founders of the ILO were modern, even avant-garde, architects. They designed this Organization, thinking of the abiding form that it should take as a place for the defence of workers. In order to remain true to the founding spirit of the ILO, we need to develop responses that are adapted to our times, to take up the challenges which do not change. The mission of the ILO, within its tripartite framework, is to promote social justice and internationally recognized human and labour rights. It is towards this objective that the Worker representatives will continue to work after the end of this

104th Session of the International Labour Conference.

To conclude, I want to put a spotlight on those who work in the shadows: that is, to pay tribute to the tremendous work carried out by the staff of the ILO – the interpreters, translators, technicians, printers, drivers, reception staff and many others – who have made it possible for us to carry out our work in a convivial atmosphere.

Mr MERO (*Government Vice-President of the Conference*)

Let me take this opportunity to express my appreciation for the great honour bestowed on me as Government Vice-President of the 104th Session of the International Labour Conference. I would like to thank the President of the Conference, Ms Jaunzeme, for her leadership of the Conference as well as the Employer Vice-President, Ms Goldberg, the Worker Vice-President, Mr Thibault, and the secretariat and the Officers of the Conference.

I would also like to express my appreciation for the effective leadership of Mr Ryder, Director-General of the ILO, and for his powerful statement that set the tone for the Conference. We witnessed the Committee on the Application of Standards, the Committee on SMEs and Employment Creation, the Committee on the Transition from the Informal to the Formal Economy, and the Committee for the Recurrent Discussion on Social Protection (Labour Protection) consulting and negotiating on the critical and underlying issues of their respective mandates in a forward-looking, results-oriented manner under tripartite arrangements, which was quite impressive. That is why the great reports that have been presented to the Conference have met with no reservations from any of us. I commend the leadership of these Committees for a job well done.

Moving forward, the remaining challenge is to implement the recommendations contained in the reports of the Committees. Personally, I have noticed that the spirit of the Conference and that of the Committees' work is a source of encouragement for all of us, thus creating hope for a positive outcome at the level of implementation.

It is also important to mention several interesting events, such as the thematic High-level Panel on Climate Change and the World of Work and the speeches made by the President of France, François Hollande, and the President of Panama, Juan Carlos Varela. Their statements were instructive and helped to demonstrate the diversity of challenges and opportunities in the future world of work.

To conclude, I wish to thank all those present for their effective participation, which has made our work easier. I would also like to thank all those who worked to facilitate the success of the Conference for a job well done.

The SECRETARY-GENERAL OF THE CONFERENCE

When we began this Conference session two weeks ago, I think that we were all aware that it would take a considerable effort from everybody to reach the positive results that we can celebrate now as we reach the end of our work, all the more so because of the innovations of this reformed and shortened Conference. And this is the first point I want to make.

Together, we have demonstrated that the two-week Conference can work. It makes demands on all of us – delegates and staff alike – but we have been equal to them. And not only that. Because, in

following the debates and talking to delegates, I have come to the conclusion, in fact, that our new working methods actually provide an improved framework for concentrated, focused and results-oriented debate. And so the quality of our work has benefited at the same time as we have made welcome economies of time and resources. We will, of course, need to make a systematic evaluation of this year's experiment and the necessary adjustments, but I think that we can already see this Conference as an example of how reform at the ILO can marry effectiveness and efficiency with improved substantive outputs.

And as we all contemplate the no-doubt very welcome prospect of returning to our homes, I think that you will not find it very difficult, when you get home, to explain to your families, to your colleagues, to the media and to the general public what you have been doing during your stay in Geneva.

You worked to produce an international instrument which touches on the lives of that nearly half of humanity whose livelihoods depend – precariously – on informal activity, an instrument which offers hope for the transformation of that reality. You worked out how governments, employers and workers can optimize the decent work potential of small and medium-sized enterprises. You looked very hard at the challenges we all face on the fundamental issues of wages, working time, health and safety, and maternity protection, and then mapped the way forward. And, as always, you examined how member States are doing in meeting their obligations to apply ratified Conventions. And you were clear, as well, that the plight of workers in the occupied Arab territories imposes a common responsibility of solidarity.

Not just this. You received vibrant messages from two Presidents and a Nobel Peace Prize winner. You admitted a new member State into the ILO family and – not least, from my point of view – you adopted a programme and budget for the next two years with not one single vote in opposition. That is not bad for two weeks' work!

These achievements can be taken, I believe, as symptoms of an Organization in good health, an Organization which has a clear idea of its own role and the direction that it wants to take to fulfil its purpose and its mandate. They are evidence of multilateralism functioning well and, above all in this house, of tripartism at its best.

Consider this: there was not one single vote taken in any of the technical Committees of this Conference. On each and every occasion, decisions were taken by consensus. I personally cannot remember that happening before. And when we have voted in this plenary, it has been because our Constitution has required us to do so and the majorities have been overwhelming.

This triumph of tripartism – because that is what it is – has been the doing of you, delegates of governments, workers and employers from around the world. You defended principles and interests as you must, and you did so in the spirit of dialogue and of compromise on which the work of the ILO depends.

So congratulations on all of this. There is justifiable reason for pride in your achievement and also optimism for the future.

And it was the future, the future of work, in fact, which was the subject of my main Report to the Conference and of our plenary debate; 297 speakers took part in that debate, but the bad news is that

only 19 per cent of them were women. But these interventions, in any case, provided very valuable guidance for our future of work initiative.

Now clearly the Governing Body will need to supplement this guidance, but already the Conference has delivered a number of, I think, very clear messages about how we should move ahead.

Firstly and, I think, most importantly, as has just been confirmed, the Conference gave strong and unequivocal support for the initiative. There was no opposition. An in-depth reflection on the future of work was considered relevant and necessary – for the ILO, but also for the global community more widely. So the question then becomes not whether we implement the initiative, but how we implement the initiative.

Everybody agreed that the initiative should not have purely symbolic or ceremonial objectives, but very concrete and practical ones revolving around how best to equip the ILO to deliver on social justice in its second hundred years. There was widespread interest in and support for the concept of a centenary declaration for adoption at the Conference in 2019, but this again was subject to a clear understanding of its very political purpose. Previous ILO declarations are historic documents. Those declarations have stood the test of time. They have just been cited from this podium. And the one we adopt in 2019, if we are to do so, must not fall short of this.

Many delegates underlined the need for the initiative to be carried out at a level of ambition which would give it the impact it needs to have. Two thoughts arise from this.

The first is that wide outreach to all interested actors is justified and is needed. But that needs to be undertaken in ways which serve and bolster tripartism and which in no way diminish or displace it. I believe this message is crucial and I want to assure the Conference that it has been heard.

The second thought is that, to make this initiative work, member States and our tripartite constituents are going to have to adopt it as their own, to take ownership of it, to take responsibility for it. There were many encouraging signals given by speakers in this regard about planned national and regional initiatives, and I hope that these will multiply as we move forward.

It was also stressed that this initiative will not be implemented in a vacuum. Critically important international processes will be under way, not least the post-2015 development agenda and follow-up to the Paris Climate Change Conference. And the changes transforming the world of work will not be put on hold while we work out what to do about them. And so our efforts must take due regard of all of these factors and weave them into the initiative itself.

I think that the four areas outlined in my Report as the subjects of the four centenary conversations – work and society, decent jobs, the organization of work and production, and the governance of work – were seen as appropriate, but many specific items were referred to by speakers for inclusion within them. Foremost among those mentioned were the issues of skills and training, and also of migration. All of this is understood. Indeed, the four conversation headings provide space for discussion of all of these issues and any others which are considered relevant to the future of work. It is an inclusive conversation.

I want to underline as well that the other centenary initiatives being undertaken concurrently with the future of work initiative are also highly relevant to it and need to feed into it. Remember that we have a total of seven centenary initiatives. I simply want to highlight the obvious and crucial linkages with the women at work initiative, the green initiative, the end to poverty initiative, the standards initiative and the enterprises initiative.

So, turning to the question of the next concrete steps, I think we must be mindful of all of those who said that we cannot wait until 2019 to act, because change is here and change is now. And I agree. And it is precisely for that reason that implementation of our initiative must start as soon as this Conference ends. And it has been suggested, as well, that the Conference may need to return to the question before 2019.

Now, on the basis of the plenary discussion over the past days, I intend to launch the first stage of the initiative – that is, the four centenary conversations – immediately. We will make the necessary arrangements in the Office to undertake outreach and to mobilize member States' engagement. Inevitably, the scale of those efforts will depend on the resources that we can mobilize and I take this opportunity to appeal for your help in this, as well as your substantive engagement.

The proposed second stage – which is to say, the establishment of a high-level world commission – was very widely supported in plenary and my own view is that it is fundamentally important to the success of the initiative. But I recognize that important and entirely reasonable questions were asked about its functioning, not least in relation to the strengthening of tripartism. The sequential order of the three stages of the initiative means that we have an opportunity for further discussion of this issue – the workings of the commission – as well as that of a centenary declaration in the Governing Body, and we can start that at our next substantive Governing Body session in November.

It remains only for me to thank you once again for having made the Conference the real success that it has been. You have done great work. Permit me also to express my appreciation for the job done by all of my colleagues in the Office, who have, I hope you agree, served you with commitment, skill, courtesy and sheer hard work.

But all of this has required the leadership of the President, Ms Jaunzeme, to bring the Conference vessel safely into port. She has been the most effective, competent, engaged, collegiate and friendly of Presidents and has enjoyed the cooperation of a really great team of Vice-Presidents: Mr Mero for the Governments; Ms Goldberg for the Employers; and Mr Thibault for the Workers. To all of you, our warmest thanks and appreciation.

The PRESIDENT

Now, with your permission, I shall make a few closing remarks.

Let me start by saying how proud I am to have presided over the 104th Session of the International Labour Conference and what a marvellous experience this has been for me. We have heard over the last couple of days, and today, from all the officers of the various committees what good work you have done, so I would rather give you my own brief impressions of the Conference and the directions in which I believe it has taken the Organization. Be-

cause this is the true purpose of the Conference: it is the time when the Members of the Organization come together in Geneva and say "This is how we see the International Labour Organization – this is what we want it to do." It is a moment when the Office, and its Director-General, can listen to the constituents and then, with the many skills of the secretariat, take the tasks that the Conference has given them and work out ways in which these tasks may be achieved.

Let us look back over these two very enriching weeks. We have adopted a new Recommendation concerning the transition from the informal to the formal economy. There has been very wide-ranging support for this Recommendation, with all three groups united in finding it practical, straightforward and genuinely helpful.

We have dealt with a connected subject in the Committee for the Recurrent Discussion on Social Protection (Labour Protection). This is an area that is fundamental to our Organization and fundamental to social justice. My fellow Officers and I were very graciously welcomed to each of the Committees, and were able to observe at first hand how they were progressing. We were constantly struck by the spirit of consensus – a word that is dear to the ILO and on which the vast majority of its decisions are based. I believe I am correct in saying, as the Director-General did, that at no point in any of the Committees' work was it necessary to have recourse to a vote to decide an issue of contention.

Because there were issues of contention: how could there not be in tripartite negotiation, which is necessarily a reconciliation of differing points of view? And yet, at this Conference, on all occasions where there have been difficulties, you have looked for, and found, solutions. Obstacles have been overcome and barriers overturned. Let us consider for a moment the Committee on the Application of Standards, which has encountered problems in its functioning in recent years. It is, of course, a highly political Committee, which deals with difficult issues. It is also of crucial importance to the Organization, which, now more than ever, needs a fully operational supervisory system. On my visits to the Committee, I could see that, although the issues were complex, with points of view that were often conflicting, there was a genuine will to move forward together among the three groups. The spirit of the standards initiative meeting held in February, and the agreement reached after that at the March session of the Governing Body, appear to have flowed into the Committee on the Application of Standards, which succeeded, certainly with long night sittings – many thanks to everybody for that – but which nonetheless succeeded in adopting conclusions on all 24 cases before it, once again by consensus.

The same spirit prevailed in the Committee on SMEs and decent and productive employment creation, where there was a shared recognition of the potential of SMEs to grow productive jobs and income.

Other things also happened during the Conference. We held a highly stimulating and exciting World of Work Summit, I think the best edition of this event so far. We listened to the uplifting words of Nobel Peace Prize Laureate Kailash Satyarthi; received visits from President Hollande of France and President Varela of Panama, both of whom gave strong messages of support for our Organiza-

tion; and saw the signature of a new cooperation agreement between France and the ILO for 2015–19.

In a very moving and emotional ceremony, we welcomed a new member State to the International Labour Organization: the Cook Islands, an island State in the South Pacific Ocean, which – as the Workers' delegate stated – may be small in size but has a heart the size of the universe. All States, whatever their size, are, of course, equal in the International Labour Organization and to welcome a new Member is always an important moment in the life of the Organization.

Another key moment in the life of the Organization is the adoption of the programme and budget. The ILO now has a Programme and Budget proposals for 2016–17. I believe that this is a sure indication of the appreciation of member States for the policy orientations that the Director-General has chosen as the ILO approaches its centenary.

If I can speak for one moment for my own country, the Republic of Latvia, I should like to convey a firm message of support for ILO action and activities, for the revitalization and reformed governance structures, and for the renewed energy with which the Organization goes about its mission.

Our Conference is now very nearly at an end, and I am sure that you are ready to go home. True, the Conference was shorter this year than it has been before, so it has kept us away from our families and homes for less time than usual. But it has also been extremely concentrated, with important things happening on all sides and at all times. I believe that this shorter format of the Conference has worked well, and I pay tribute to the staff of RELMEETINGS and to their Director, Mr Perrin, for the organizational efforts that have gone into packaging such substance and content into a shorter time span.

I should like to thank the Director-General for welcoming me to the Presidency of this Conference. It has been a real privilege for me and an honour for my country, the Republic of Latvia. I also wish to congratulate him on the excellence of all the members of his staff; they have worked together as one to make this Conference a success. I wish to thank the Government group, and, in particular, the members from the European region, for supporting my candidacy as President. Once again, it was an extraordinary experience for me.

I should not close without saying thanks to my fellow Officers: Mr Mero of Tanzania for the Governments, Ms Goldberg for the Employers and Mr Thibault for the Workers. We have made a great team.

Finally, I must not forget the interpreters, translators, text operators and all the staff who worked, often late into the night, to produce the texts for our meetings and keep our Organization running.

Finally, I urge you with all my heart to take the new Recommendation on the transition from the informal to the formal economy that we have just adopted, to take the conclusions from the Committee on SMEs, to take the conclusions from the Committee on labour protection, to take them back to your countries and put them to work.

The SECRETARY-GENERAL OF THE CONFERENCE

We have changed a lot of things at this Conference. We have stopped doing a few things, but there are a number of things that we have carried on do-

ing and there is one long-standing tradition that we do not want to change: the traditional presentation to the President of the gavel of the 104th Session of the International Labour Conference, as a symbol of the authority that she has so beautifully exercised at this Conference, but also, I hope, as a very fond memory of the work of the last two weeks.

The PRESIDENT

I declare the 104th Session of the International Labour Conference closed.

(The Conference adjourned sine die at 1 p.m.)

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