

**Name:** Els Van Winckel

**Email:** [elsvanwinckel@gmail.com](mailto:elsvanwinckel@gmail.com)

**Purpose:** ILO event: International Labour Conference (ILC)

**Relating to:**

5.1 End all forms of discrimination against women and girls everywhere

5.4 Recognize and value unpaid, domestic work; domestic sharing of responsibility; decent work; WEPs and equal pay

5.a Equal rights to economic resources: land, property, inheritance, financial and natural resources

5.c Adopt enforceable laws to promote gender equality and empowerment of women

**Meeting name and location:** 108th Session of the ILC, Geneva

**Meeting Date:** 10-21 June 2019 (two weeks)

Report Submission Date: 11 July 2019

Els VAN WINCKEL

Member of the Zonta International UN Committee, Geneva



**108<sup>th</sup> Session of the  
International Labour  
Conference  
Geneva, Switzerland  
10-21 June 2019**



## **Report to ZONTA INTERNATIONAL**

To mark the **100<sup>th</sup> anniversary of the International Labour Organisation (ILO)**, the **International Labour Conference (ILC)** took place in Geneva in the Palais des Nations during two weeks under the title *“Building a future with decent work”*. This year the ILC was very special and was attended by thousands of delegates, speakers, experts and observers. More than 40 Presidents and Prime Ministers came to the ILC to express their support to the ILO. At the end of the Conference, a new Convention was adopted, to fight violence and harassment in the world of work.

The ILO was set up in 1919 after World War I with the aim *“to bring Peace through Social Justice”* and so it celebrates its centennial this year. The 1919 Treaty of Versailles that ended the Great War included a chapter on the creation of the ILO to reflect the belief that universal and lasting peace can be accomplished only if it is based on social justice.

The ILC is the **ILO’s highest decision-making body**. It meets annually and has the capacity to agree on new normative instruments, so-called Conventions. They become binding legislation as soon as they are ratified by Parliaments in the ILO Member States (187 countries worldwide). This is why the ILC is also called the “World Parliament of Labour”. The negotiations on a new Convention are held on a **tripartite basis**, by governments, employers’ and workers’ representatives. This is **very unique** and the ILO is the only UN Agency with a tripartite structure. This year, the ILC discussed a draft Convention on Violence and Harassment in the World of Work. On 21 June, the Convention was adopted, as well as a Recommendation and a Resolution on the subject.

The ILC is also the **annual conference of the ILO**, which is held every year around the same time. This year, more than 6.000 accredited delegates from around 180 ILO Member States, of whom many high level representatives, came together in Geneva. They discussed several of the most pressing issues facing the world of work. The Conference presidency was held by Mr Jean-Jacques Elmiger (Switzerland) and on the occasion of the centenary celebration some world leaders participated at the ILC.



The 2019 ILC can be called a **Landmark Conference** for three reasons:

- It was held **during the centennial of the ILO** (1919-2019);
- More than 40 **Heads of State and Governments addressed the ILC** during the High-Level Visits. World leaders such as Chancellor Merkel, President Macron, Prime Minister Medvedev as well as UN Secretary-General Guterres took the floor.
- The ILC was **very successful** as a Convention on Violence and Harassment in the World of Work was adopted, together with a Recommendation and a Resolution on the subject.

ZONTA International took part in the 2019 ILC as observer and was represented by Els Van Winckel, member of the Zonta International UN Committee in Geneva, who was mentioned in the official list of ILC participants. ZONTA International is on the ILO Special List of NGOs and has therefore the same status as NGOs with the highest status at the ILO.

This year, several issues were on the agenda of the ILC, such as the application of International Labour Standards, the World Day against Child Labour, several Thematic Forums and the Programme and Budget Proposals for 2020-2021, as well as **two items** which are **very important for ZONTA**:

1. Violence and Harassment in the World of Work
2. The Future of Work (Work for a brighter Future)



The OIT (Organisation International du Travail, or International Labour Organisation) celebrating its 100 years

## 1. Violence and harassment in the world of work

A **new Convention** was adopted by the ILC on Violence and Harassment in the World of Work.

- The Convention is a **legally binding international document** and thus the **strongest possible instrument** to lay out further guidance for stopping and addressing violence and harassment at work.
- The Recommendation is not legally binding and provides advice and guidelines on how the Convention could be applied.
- A Resolution on Violence and Harassment in the World of Work was also adopted.

These three instruments together provide a clear framework for action.

The **adoption of the Convention is historic** as it took place in the centennial of the ILO and furthermore, as it is the first time ever that the right of everyone to a world of work, free from violence and harassment, is clearly articulated in internationally agreed new labour standards.

It is the **first new Convention agreed by the ILC since 2011**, when the Domestic Workers Convention (C 189, 2011) was adopted. Several speakers at the ILC called the Convention a **landmark instrument** leading women and men into a better future of work based on dignity and respect, free from violence and harassment.

The Convention was adopted with an overwhelming majority of votes: For: 439, Against: 7, Abstentions: 30. Also the Recommendation was adopted with a large majority: For: 397, Against: 12, Abstentions: 44.

Violence in the world of work is a threat to the dignity, security, health and well-being of everyone. It has an impact not only on workers and employers, but also on their families, communities, economies and society as a whole.

**Both workers and employers** fall under the scope of the Convention as it recognises that both can be subjected to violence and harassment. The new international labour standard aims to protect workers and employees, irrespective of their contractual status, and includes persons in training, interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants as well as individuals exercising the authority, duties or responsibilities of an employer.

The Convention reminds Member States that they have an important responsibility to promote a general environment of **zero tolerance to violence and harassment**. It recognises that violence and harassment in the world of work can constitute “a human rights violation or abuse” and that violence and harassment “is a threat to equal opportunities, is unacceptable and incompatible with decent work”.

## **Definitions**

The adopted instruments include an agreed definition of “violence and harassment”. It is based on a pragmatic approach, defining violence and harassment as “a range of unacceptable behaviours and practices” that “aim at, result in, or are likely to result in physical, psychological, sexual or economic harm”. This potentially covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things.

The definition of “world of work” is very broad, to cover situations not just in the workplace, but also situations occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (c) during work-related trips, travel, training, events or social activities;
- (d) through work-related communications, including those enabled by information and communication technologies;
- (e) in employer-provided accommodation; and
- (c) when commuting to and from work.

It is very important for women worldwide that the Convention applies to the formal and informal economy and to urban and rural areas. The Convention aims at being very inclusive, without leaving any group of workers excluded. It takes account of the fact that nowadays work does not always take place at a physical workplace; so, for example, it covers work-related communications, including those enabled by ICT. This is a **significant achievement** as it means that the worker is protected not only in the workplace but outside the workplace as well (e.g. at the bus stop or at the worker's home).

Some employees in certain sectors, occupations and work arrangements are acknowledged to be **especially vulnerable** to violence and harassment; for example, in health, transport, education and domestic work, or working at night or in isolated areas. The sectors specific to each country will be identified through tripartite consultation.

**Gender-based violence and harassment** is specifically highlighted, and the approach also takes into account third parties (e.g. clients, customers, service providers and patients) because they can be victims as well as perpetrators. Moreover, the impact of domestic violence on the world of work is also included. This is a significant step in bringing domestic violence out of the shadows, and changing attitudes.

The Recommendation sets out practical measures, including leave for victims, flexible work arrangements, and awareness-raising. It also spells out what needs to be done to prevent and address it, and by whom.

The issue is a **global level priority**: the **2030 Agenda for Sustainable Development** calls for the achievement of full and productive employment and decent work for all women and men, the reduction of inequalities and the elimination of “all forms of violence against all women and girls in the public and private spheres”<sup>1</sup>. This includes tackling gender based violence and disseminating tools to prevent and eliminate sexual harassment in the world of work.

During his speech at the ILC, **UN Secretary General Guterres** also welcomed the adoption of the Violence and Harassment Convention and he said that *“in this way, the ILO heads for ground-breaking new standards on violence in the world of work and it is a major contribution to the broader push for equality”*.

### **History of discussions**

Already in 2015, the ILO highlighted the issue of violence during the 104th Session of the ILC, both in the Resolution concerning the recurrent discussion on social protection (labour protection), and in Recommendation No. 204. Likewise, the issue of violence and harassment at work was central to the ILO's centenary Initiative on Women at Work (see my report on the 2018 ILC).

Last year during the 2018 ILC, participants were familiarised with the latest ILO research and experience on how this critical topic can be prevented and addressed by law, policy and practice. Violence in the world of work strikes at the heart of the efforts of the ILO to promote the right of all human beings "to pursue both their material well-being and their

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<sup>1</sup> Target 8.5, Goal 10 and Target 5.2

spiritual development in conditions of freedom and dignity, of economic security and equal opportunity" (Declaration of Philadelphia)<sup>2</sup>. At the 2018 ILC, the first discussions on violence and harassment in the world of work took place. The subject was again on the ILC agenda of this year, following a report prepared by the ILO. After a two-year negotiation process (2018-2019) and with a quite difficult and intense discussion this year as well during the 2 week long ILC, the negotiations eventually resulted in a Convention, a Recommendation and a Resolution which were adopted at the last day of the ILC on 21 June 2019.

### **Important, historic and symbolic vote**

The adoption of the Convention with the Recommendation and Resolution is **important** as they constitute a standard that can be used globally in all 187 ILO member states. This is a major achievement. It is **historic** and **symbolic** as that the Convention, Recommendation and Resolution were adopted at the Centenary session of the ILC, showing that violence and harassment at work are a matter of serious concern for the ILO. With the recent global outcry against violence and harassment their adoption could not be more timely or relevant.

*“The Convention is strong and practical. Together with the Recommendation, Convention No. 190 provides a clear framework for action and an opportunity to shape a future of work based on dignity and respect, free from violence and harassment.”* said Shauna Olney, Chief, Gender, Equality and Diversity Branch, ILO.

### **Ratification**

The Convention and the Recommendation are now open for ratification by ILO Member States. It is expected that the ratification process will start soon in several countries, given the overwhelming majority at the vote, the co-operation and solidarity during the ILC on this issue, and the public demand for action. Speedy and widespread ratifications and action to implement the Convention should therefore be started in the near future. The Convention will enter into force 12 months after two member States have ratified it.



Meeting of the Committee on Violence and Harassment in the World of Work

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<sup>2</sup> Declaration of Philadelphia, II(a), 1944

## **Setting new international standards (Conventions): how does it work?**

International labour standards evolve from a growing international concern that action needs to be taken on a particular issue, for example providing working women with maternity protection, or ensuring safe working conditions for agricultural workers.

Developing international labour standards at the International Labour Office is a unique legislative process involving representatives of governments, workers and employers from around the world. As a first step, the Governing Body agrees to put an issue on the agenda of a future International Labour Conference. The ILO prepares a report that analyses the laws and practices of member States with regard to the issue at stake. The report is then circulated to Member States and to workers' and employers' organisations for comments and is discussed at the International Labour Conference. A second report is then prepared by the Office with a draft instrument for comments and is submitted for discussion at the following Conference, where the draft is amended as necessary and proposed for adoption.

This "double discussion" gives Conference participants sufficient time to examine the draft instrument and make comments on it. A two-thirds majority of votes is required for a new Convention to be adopted.

## **2. Declaration on the future of work**

During the ILC, discussions took place on how to forge a future of work that offers social justice and decent work. Participants were considering the adoption of a landmark Centenary Declaration. The discussions eventually resulted in the adoption of the ILO Centenary Declaration, which is charting the way towards a human-centered future of work. Declarations are resolutions of the ILC to make a formal and authoritative statement and to reaffirm the importance that the constituents attach to certain principles and values.

The Declaration is a reaffirmation of the relevance and importance of the ILO's mandate in the changing world of work, a strong statement of intent and a mobilising call. *"What we have adopted today is a roadmap, a compass to take us forward in the future of this Organisation, because the future of work is the future of our Organisation,"* said ILO Director-General, Guy Ryder.



Guy Ryder, the ILO Director General, addressing the Conference

The Declaration has a strong focus on enabling people to benefit from changes in the world of work, by strengthening the employment institutions to ensure adequate protection of all workers, and by promoting sustained, inclusive and sustainable growth and full and productive employment. It also puts emphasis on gender equality.

Specific areas for action identified include:

- The effective realisation of gender equality in opportunities and treatment
- Effective lifelong learning and quality education for all
- Universal access to comprehensive and sustainable social protection
- Respect for workers' fundamental rights and safety and health at work
- An adequate minimum wage and maximum limits on working time
- Policies that promote decent work, and enhance productivity
- Policies and measures that ensure appropriate privacy and personal data protection, and respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work.

UN Secretary General Guterres told delegates that the Declaration *“is ambitious – setting out the basis for delivering the ILO’s mandate in its second century. The Declaration also proposes a shift in the paradigm of how we look at development.”*



The ILO marks 100 years of advancing social justice and promoting decent work

The ILO Centenary Declaration was adopted at the closing of the ILC and is a short but crucial statement and a strong reaffirmation of the social justice mandate given to the ILO 100 years ago. The Declaration looks at the complex issues presented by the evolving world of work. They range from technology to climate change, from demographic shifts to the need for new skills. The adopted text provides guidance for dealing with these pressing issues and a platform for cooperation with other organisations in the international system. In short, the Declaration acknowledges the ILO successes and looks at where the ILO needs to go.

The Declaration contains recommendations for the world of work. In order to move forward and create the perspectives for a just and sustainable future it is crucial to invest in people. This means investing in jobs, skills and social protection. The ILO Centenary Declaration **explicitly refers to the need of supporting gender equality.**

The Declaration is the culmination of years of work within the framework of the ILO's Future of Work initiative. As a first step, Member States held tripartite dialogues, which provided a rich discussion of priorities, challenges and opportunities at national and international levels. The outcomes of these dialogues informed the members of the Global Commission on the Future of Work, whose recommendations, in turn, helped craft the Centenary Declaration for the Future of Work. This has been prepared prior in Member States, through tripartite dialogues (governments, workers' and employers' organisations).

Although declarations are not subject to ratification and are not binding, they are intended to have a wide application and contain symbolic and political undertakings by the ILO Member States. In 1944, the Declaration of Philadelphia set out the aims and purposes of the ILO. The fundamental principles it spells out are as relevant as ever today, and are reaffirmed in the Centenary Declaration.



More than 6.000 official delegates attended the 2019 ILC

## High-level visits

On the occasion of the centennial of the ILO, several Presidents and Prime Ministers came to Geneva to address the ILC. They praised the ILO for its history of fighting poverty, promoting social justice and enhancing gender equality. They also highlighted the key role of the ILO in encouraging states to make a concrete commitment to promote the inclusive tripartite model, social dialogue and to invest in people.

All together, the Heads of State and Governments of almost 50 countries came to Geneva to express their support of the ILO, its mission and achievements and to encourage the ILO in its way forward. The following leaders addressed the ILC (non-exhaustive list):

Belgium, H.E. King Philippe  
Colombia, Mr Iván Duque Márquez, President  
France, Mr Emmanuel MACRON, President  
Georgia, Ms Salome ZOURABICHVILI, President  
Germany, Mrs Angela MERKEL, Chancellor  
Ghana, Mr Nana AKUFO-ADDO, President  
Italy, Mr Sergio MATTARELLA, President  
Morocco, Mr Saâd-Eddine El OTHMANI, Chief of the Government

Norway, Ms Erna SOLBERG, Prime Minister  
Peru, Ms Mercedes Rosalba ARÁOZ FERNÁNDEZ, Vice-President  
Russian Federation, Mr Dmitry MEDVEDEV, Prime Minister  
South Africa, Mr Cyril RAMAPHOSA, President  
Sweden, Mr Stefan LÖFVEN, Prime Minister  
Switzerland, Mr Alain Berset, Federal Councillor  
Turkey, Mr Fuat OKTAY, Vice-President  
United Kingdom, Ms Theresa May, Prime Minister  
  
United Nations, Mr. António Guterres, Secretary-General  
United Nations General Assembly, Ms María Fernanda ESPINOSA GARCÉS, President

The leaders applauded the ILO as it made human dignity and social justice the driving force of reconciliation and development after World War I and in its 100 years existence. They described the ILO as one of the most “influential global structures” when it comes to bringing social peace, **fostering gender equality** and preserving and respecting human dignity. The leaders reaffirmed their commitment to the ILO’s principles of social justice and highlighted the importance of addressing the challenges of a rapidly changing world of work.

The ILO was called a prime example of effective multilateralism. In the present international context where multilateralism is being put into question, the ILO was found to stand out as an affirmation of the crucial role that the United Nations still holds, also in directly improving the well-being of our citizens through the enforcement of social justice and egalitarianism.

Several important leaders, such as Dmitry Medvedev, Prime Minister of the Russian Federation and Angela Merkel, Chancellor of Germany, explicitly said that they share the mission and objectives of the ILO. Emmanuel Macron, President of France, delivered a strong endorsement of the ILO’s tripartite methodology. He said that *“acting responsibly, building international solidarity step by step, through law and dialogue, this is the spirit of your organisation....A double heritage and a responsibility for us to continue.”*



German Chancellor Angela Merkel and French President Emmanuel Macron addressing the 2019 ILC

Ms Merkel referred to the World Day against Child Labour and the ILO’s role in fighting it. She said *”all over the world, 152 million children are forced to work, roughly half of them under the age of five....That is certainly unacceptable and we have to tackle this together”*.

Ms Theresa May, Prime Minister of the UK, told delegates they had a *“moral duty”* to *“address a relic from the past, modern slavery”*. She described it as a global epidemic that *“reaches into every corner of our lives – in the clothes we wear, the food we eat, the services we pay for... No leader worthy of the name can look the other way while men, women and children are held against their will, forced to work, routinely beaten, raped and tortured”*.

Several leaders said the ILO’s activities and policies need to have a upgrading, as the challenges that the ILO has to address today are much more diverse and complicated than the challenges it had to face 100 years ago. They expressed the need to collectively adhere to these principles as in this way, the world can achieve growth, social justice and prosperity for current and future generations. They acknowledged the challenges of a rapidly changing world of work as a result of technological advances and hence the need to focus on good education, life-long training and up skilling the work force.

They also expressed their support for the human-centered agenda proposed by the Global Commission on the Future of Work (see above, under point 2).

Other leaders put in the spotlight the impact of climate change and technology on the world of work, highlighting the impact of climate change and its effect on the economy, saying that the increasingly difficult environmental conditions are already a driver of migration and youth employment concerns.



Russian Prime Minister Dmitry Medvedev speaking at the 2019 ILC



Prime Minister Theresa May welcomed by ILO Director General Guy Ryder on 11 June 2019

UN Secretary-General António Guterres joined the world leaders who delivered strong messages of support for the ILO and its social justice mandate. *“You are carrying forward the torch that was lit one hundred years ago to help build a new world – a world based on social justice, founded on a model of inclusion – with governments, workers and employers at the decision-making table together,”* Guterres said.



UN Secretary-General António Guterres (*right*) with Director General Guy Ryder (*left*) at the 2019 ILC

### **100 years ILO – a unique UN Agency**

Set up after World War I by the Treaty of Versailles, the ILO is the only **tripartite UN Agency** and its Member States are represented by a delegation consisting of government, employer and worker delegates, and their respective advisers. This is very unique and the ILO is the only UN Agency with this particular tripartite structure.

This means that the ILC is a **unique forum**, which is significantly different from other forums in the UN, as all agenda items are discussed by governments, employers and workers representatives. The ILC is often called the “**World Parliament of Labour**”, giving a voice to all labour market players. The ILC is held once a year and sets and reviews international labour standards and ILO broad policies.



#### **4. High-Level Thematic Forums**

A number of **Thematic Forums on Future of Work issues** took place during the Conference, where heads of international organisations, key figures from the business and industry, trade unions, policymakers, representatives of civil society and academia, and young people debated and exchanged views on issues related to the future of work.

## **Thematic Forum on Child Labour**

Celebrating the World Day Against Child Labour 2019, the participants at the Forum looked back at a century of struggle. They also looked forward to future challenges and opportunities. The Forum focussed on the major transformations taking place in the world of work, whether the result of technological, environmental or demographic change, and what this means for the youngest in society. Given the proven policy areas for combatting child labour, the discussion also focussed on accelerating action towards SDG Target 8.7, entailing “the ratification and implementation of fundamental ILO labour standards and compliance in law and practice.” The forum was followed by the second segment on “Empowering actors for social change” which examined the role of partnerships in building the momentum for campaigns and action against child labour.

Other Thematic Forums were on: Freedom of association and the effective recognition of the right to collective bargaining; A foundation of decent work; Jobs and skills for a brighter future; Securing sustainable transitions over the life course; Technological pathways for decent work; Multilateralism for an equitable future of work; and Business for decent work.

## **Panel with 3 ILO Directors General**

The ILC brought together three Directors General (past and present) of the ILO: Mr Michel Hansenne, Mr Juan Somavia and Mr Guy Ryder. They participated in a panel discussion to reflect upon the social justice mission of the ILO. Michel Hansenne (Belgium), who headed the ILO between 1989 and 1999, and Juan Somavia (Chile) who succeeded him until 2012, noted the ILO’s ability to adapt to change, which they said is one of the reasons the organisation is still relevant today and will remain so in the future.



Mr Juan Somavia, former ILO Director General (1999 – 2012) (*right*) and Els Van Winckel (*left*) at the ILC on 20 June 2019

## The ILC also discussed:

- **The application of international Labour Standards**

The recurrent annual process of investigation in cases of non-application of international labour standards resulted in the adopted conclusions on 24 individual cases related to the implementation of ratified Conventions. The discussion was based on the annual report of the Committee of Experts on the Application of Conventions and Recommendations, which is an independent body composed of legal experts charged with examining the application in law and practice of ILO Conventions and Recommendations by ILO Member States.

Two of the 24 individual cases were on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), mainly on the discrimination of women in the labour market and concern the countries Libya and Tajikistan.

## Conclusion

The 2019 ILC was a **Landmark Conference** as:

- It took place **during the centennial of the ILO (1919-2019)**;
- Several world leaders **addressed the ILC** during the High-Level Visits. Chancellor Merkel, President Macron, Prime Minister Medvedev as well as UN Secretary-General Guterres took the floor and gave support to the ILO and its future.
- The ILC was **very successful** as a **Convention on Violence and Harassment in the World of Work** was **adopted**, together with a Recommendation and a Resolution on the subject. This is the **strongest possible instrument** for stopping and addressing violence in the world of work, included gender-based violence and harassment. It is expected that the Convention will be ratified rapidly by some Member States.

This means that the ILC was **very important for gender equality and women worldwide**. The ILO remains an essential UN Agency for the improvement of women's status and empowerment on the labour market.

**Els VAN WINCKEL**  
**ZONTA International**  
**Member of the Zonta International United Nations Committee, Geneva**  
**Zonta Club Morges-La Côte (Lake Geneva), President 2014-2016**  
**INTERCITY Switzerland and Principality of Liechtenstein, Vice-President**

*Empowering women through Service and Advocacy*

**1919-2019 we empower women**

[elsvanwinckel@gmail.com](mailto:elsvanwinckel@gmail.com)