STATEMENT

68th Session of the United Nations General Assembly - Third Committee

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STATEMENT BY

Mr. Kevin Cassidy
ILO Office for the United Nations

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Agenda Item 69: Human Rights

Chair,

As a human rights-based organization, the International Labour Organization (ILO) was founded on the principle that “universal and lasting peace can be established only if it is based upon social justice”.

From this foundation nearly 100 years ago, the ILO has established a system of international labour standards covering a wide range of issues in the world of work. Through our unique tripartite structure, representatives of governments, employers and workers have come together on an equal footing at the ILO to adopt the largest number of binding instruments in the UN system which includes 189 Conventions and 202 Recommendations.

Eight of these Conventions – addressing the issues of child labour, forced labour, non-discrimination, and freedom of association – have been designated by the international community as “fundamental” with particular significance both as human rights and enabling conditions for the creation of decent work.

Human rights are not only the foundation of decent work; decent work has been recognized as a human right itself. The right to decent work is recognized in the Universal Declaration of Human Rights, which has provisions dealing, not only with “the right to work”, but with the various aspects of decent work, including just and favourable conditions of work, protection against unemployment, equal pay, social protection, and the right to form and join trade unions.

The International Covenant on Economic, Social and Cultural Rights also refers to “the right to work”. The Committee on Economic, Social and Cultural Rights has made it
clear, in general comment No. 18, that “work” as referred to in the Covenant means “decent work” and makes specific reference to a range of ILO Conventions.

The right to decent work is also supported in a number of other international instruments, namely Article 5 of the International Convention on the Elimination of all forms of Racial Discrimination (CERD), Article 11 of the International Convention on the Elimination of all forms of Discrimination against Women (CEDAW), Article 32 of the Convention on the Rights of the Child, and Articles 25, 26, 40, 52 and 54 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW).

The ILO has a comprehensive and long-standing supervisory system, with a range of different and mutually reinforcing mechanisms. The regular supervisory mechanism is linked to governments’ regular reporting obligation under ratified Conventions, and the Committee of Experts on the Application of Conventions and Recommendations (Committee of Experts) address all 189 conventions.

Annually, the Committee of Experts review over 2,000 government reports and in its annual report, which contains over 800 observations on a wide range of Conventions, is subsequently examined by the Committee on the Application of Standards of the International Labour Conference.

The reports of these supervisory bodies contain observations and conclusions that touch upon people’s daily lives. They address violations of rights, as well as a range of issues relating to conditions in labour markets that can enhance opportunities for enterprise and job creation, and improve pay and working conditions, social protection, productivity, and labour-management relations.

Some of the provisions in other international human rights treaties are in fact modelled on provisions of ILO Conventions. Unlike a number of other treaties, member States cannot enter reservations to ILO Conventions. The international instruments reinforce and complement each other and as a result, the work of the various international human rights mechanisms, including the ILO supervisory mechanisms, are mutually reinforcing. Their observations, conclusions and recommendations need to be examined together if practitioners and UN Country Teams (UNCT) are to have a complete picture of the country’s human rights situation, including any specific challenges and areas of concern.

Through ILO Conventions and machinery, human rights issues can be addressed in the framework of employment and the need for decent work. Experience has shown that particularly in the context of the global jobs crises, these issues rise to the top of the agenda in many countries. The comments and recommendations of the ILO supervisory bodies can also be used as an entry point for policy dialogue on particularly sensitive human rights issues.
Chair

Decent work has quickly become a key issue in the national consultations, listening tours and information gathering activities on the post-2015 agenda. The creation of jobs remains a pressing, if not the pressing, global development priority. There is no doubt that after 2015, we will still be dealing with the effects of the global jobs crisis. But it is not the creation of any jobs that are needed. Jobs undertaken with child labour or forced labour, and in the absence of the right to organize and bargain collectively, or without the right to non-discrimination, cannot be considered decent work.

ILO’s fundamental Conventions on these issues set out human rights and create enabling conditions for inclusive and sustainable economic and social progress. The High Commissioner’s statement “the Tunis Imperative”, is striking in highlighting the consequences of ignoring such human rights.

With respect to human rights in the engagement with the private sector, this is of particular relevance to the ILO, with employers’ and workers’ organizations participating as equal partners in our governance structure. The Guiding Principles on Business and Human Rights refer to the responsibility of business enterprises to respect internationally recognized human rights, “understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.” The private sector of course needs to respect human rights, but is also an essential actor, along with trade unions, in promoting human rights in the world of work.

In closing, we believe that the world of work is a unique entry point in addressing wider social and economic issues for all societies. The global conversation on aspirations for the international development agenda beyond 2015 has shown that employment cannot be separated from concerns about promoting inclusive economic growth, entrepreneurship and opportunities for decent and productive work that can help to reduce inequalities and poverty.

We look forward to our continued work with all Member States, the family of agencies and human rights champions to ensure that decent work for all becomes a reality.

Thank you.