

Submission in follow-up to HRC resolution 19/34 “The Right to development”

International Labour Organization (ILO)

1. Reference is made to the Report of the High-Level Task Force on the Implementation of the Right to Development on its sixth session, Addendum (A/HRC/15/WG.2/TF/2/Add.2). The right to development criteria, operational sub-criteria and indicators appear in the annex to this report. Below are our proposals and comments thereon.
2. Attribute 1, sub-criteria 1(a) (iv): as this sub-criteria concerns work, we consider that it is important to include decent work, which presupposes that it respects the fundamental rights of workers. We would therefore suggest including compliance with fundamental rights and principles at work to the list of indicators. We also suggest adding types of social security coverage to this list.
3. Attribute 1, sub-criteria 1(h) (iii): we would suggest adding green jobs to the list of indicators.
4. Attribute 1, sub-criteria 1(e)(iii): we would suggest adding the ratification of the Migration for Employment Convention (Revised), 1949 (No. 97) and Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) to the indicators.
5. Attribute 2, sub-criteria 2(a)(i): while the indicators refer to the Conventions relating to labour standards, the corresponding footnote refers to the OHCHR treaty body database, which does not include ILO Conventions. We would therefore suggest that the ratification of the eight ILO fundamental Conventions and of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) be included in the list of indicators. Consequently, under sub-criteria 2(a)(ii), ILO supervisory bodies should be included in the list of bodies whose recommendations Member States should implement, and which states should report to and cooperate with.
6. Attribute 3, sub-criteria 3(a)(i): equality of opportunity in occupation (in addition to employment) should also be added to the list. We would further propose including the indicator as to how the principle of equal remuneration for men and women for work of equal value is applied.
7. We would propose redrafting sub-criteria 3(c)(i) to make clear that not just any work is acceptable – as a prerequisite, there must be respect for fundamental rights of workers.
8. We propose to redraft sub-criteria 3(c)(ii) as follows: elimination of forced labour, including sexual exploitation and human trafficking, as forced labour in its various forms is still an important challenge for many countries. Consequently, the indicators should include the ratification of and compliance with the ILO Forced Labour Convention, 1930 (No. 29) and Abolition of Forced Labour Convention, 1957 (No. 105).
9. Finally, we note the absence of criteria addressing policy tools to address the informal economy.
10. We remain at your disposal for any further information.