



Twentieth anniversary of the 1998 ILO Declaration on Fundamental Principles and Rights at Work

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Dear Director-General

Dear Kari Tapiola

Dear Ladies and Gentlemen

Dear Colleagues and Friends

The 1998 Declaration on Fundamental Principles and Rights at Work has been a game-changer. Since June 1998, no country can hide behind non-ratification when it comes to freedom of association and the recognition of the right to collective bargaining, forced labour, child labour and non-discrimination. The Declaration reflects Constitutional obligations that members incur by virtue of membership in the ILO. The Declaration is a universal recognition of fundamental human decency below which no civilized nation in the ILO should fall.

The Declaration does not impose on Member States the detailed obligations of Conventions that they have not ratified, nor does it impose on countries that have not ratified the fundamental conventions the supervisory mechanisms that apply to ratified conventions. The principles and rights of the Declaration encompass, the essential essence, i.e., the goals, objectives, and aims, of the fundamental conventions. When we speak of fundamental principles and rights at work, we are concerned about whether member nations are working towards and achieving the policy objectives and goals inherent in the fundamental conventions. We are focusing on what is happening on the ground.

With the adaption of the Declaration, the ILO proved that the Organisation can respond to a changing world of work. The 1990's saw the rise of global trade. The emergence and rapid growth of the global economy was regarded as the most significant change in the world which affected the ILO since its creation. In Africa we say, when the music changes you must change the dance. In 1998, the ILO took a pragmatic approach to the changes which were affecting the world most at that time. We, who are involved today in the Global Commission on the Future of Work and look to the impact of AI, digitalisation and robotics, can certainly learn from this pragmatism. The tasks present in 1998 and today are the same: We want to make a difference on the ground. We want to ensure that the ILO responds to the developments and trends the world of work is undergoing and that we achieve social justice for all in an unbureaucratic and practical way. To quote, the Honourable Minister of Employment from Canada, Minister Hadju yesterday in a different discussion, which I find applicable here, "Let us do away with scripts and have honest conversations." Maybe indeed we need to reflect together honestly on how we can bring this Declaration into even more prominence going forward, rather than adopting new parallel declarations.

The 1998 Declaration has developed a tremendous impact far beyond the walls of this House. The UN Global Compact and the 2030 agenda adopted the principles of the Declaration. Nearly all initiatives on responsible business conduct as well as companies` codes of conducts and statements refer in one way or another to them. Government-backed frameworks, such as the UN Guiding Principles on Business and Human Rights, have integrated them as well. The 1998 Declaration has become the internationally fully accepted benchmark for rights at work. This is a major sign of the impact the ILO can have when we all work together with a common purpose and understanding.

However, equally true is that we have not yet fully achieved our aims. The gap between the Declaration's aspirations and the reality on the ground is still much too wide. The numbers for forced labour and child labour are still painfully high. Freedom of association and the effective recognition of the right to collective bargaining are restricted in too many parts of the world and too many groups still suffer from discrimination. This does not mean that the 1998 Declaration has been a failure, but

that we must find better ways and to undertake more effective and efficient efforts for the promotion and realization of the objectives of the 1998 Declaration. Violations of the Fundamental Principles and Rights at work are human rights violations and are unacceptable.

In his just released book on the impact of the 1998 Declaration, Kari Tapiola gives a number of success stories, where important improvements have been achieved. It is important that we are aware of these successes and that we celebrate our wins. We must analyse what have been the success factors to get us there. We must scrutinize the way we work through rigorous evaluations to ensure that the ILO gives the best it can to help States to respect, promote and to realize the Fundamental Principles and Rights at Work.

And for the future? The 1998 Declaration has not lost its relevance in the last 20 years. The fundamental principles and rights at work remain the essential values, principles and rights which we aim to universally achieve. The pragmatic approach of the Declaration and its follow-up mechanism is still valid today.

My friend and colleague Ed Potter, Employers` Spokesperson in the negotiations of the 1998 Declaration, stressed in his plenary speech twenty years ago, that “the reaffirmation of the fundamental principles and rights of the ILO in this Declaration and follow-up is the single most important undertaking in which any of us have engaged or will ever engage in this Organization. With this Declaration, the ILO is holding out to the world as we approach the morning of the twenty-first century that we hold these truths to be self-evident, that all working men and women and their employers from all regions of this earth in freedom of association should be free from forced labour and discrimination and that their children should be free from inappropriate child labour. By virtue of their membership of the ILO, Member States and their constituents in the pursuit of social justice believe that these are the essential values, principles and rights to which they hold themselves and each other accountable now and in the global economy of the twenty-first century.” There is not much to add. Before ending however, I would like to pay tribute to my predecessors in the employer group, who were strong supporters and change agents in ensuring that the Declaration saw the light of day. In particular, my predecessor as Employer



Group Chairman of the GB, who was President of the ILC in 1998, M. Jean Jacques Oecshlin who passed away last year. His commitment to ensuring that this organisation is at the forefront in the defence of human rights in the work place is an example to us all.

Thank you very much. Muchas Gracias. Asante Sana. Merci Beaucoup.