

**AFRICAN REGIONAL LABOUR ADMINISTRATION CENTRE**



**PROCEEDINGS OF THE ARLAC HIGH LEVEL SYMPOSIUM**

**ON**

**“DECENT WORK IN GLOBAL SUPPLY CHAINS”**

**15 - 19 FEBRUARY 2016**

**LIVINGSTONE, ZAMBIA.**

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## ABOUT ARLAC

The African Regional Labour Administration Centre (ARLAC) was jointly formed by the ILO and UNDP in 1974 as a project for the development of Labour Administration issues, then referred to as public administration activities in the field of national labour policy in its member states. In October 1982, ARLAC transformed from a project of the ILO and UNDP into a unique organization with its independent Governing Council, comprising labour ministries from its member countries but with lots of support from the ILO and UNDP.

Member countries had realised the importance of the training of all personnel involved with the labour administration systems among whose duties was promotion of economic and social development.

Membership of ARLAC is drawn from English-speaking African countries. These member countries have formally ratified the ARLAC Agreement. A Governing Council assumes full responsibility of the Centre's activities. This Council is made up of Ministers of Labour/Employment/Manpower issues in member countries. The ILO and UNDP are represented on the Council.

The general objectives of the Centre, as provided in Article 2 of the ARLAC Agreement include the following:

- To provide training for officials at all levels of the labour administration system;
- To provide consultancy and advisory services directed towards strengthening labour administration systems in member countries;
- To undertake studies and research in all aspects of labour administration;
- To provide information services for the benefit of member countries;

In between sessions of the Governing Council, the Executive Office exercises the powers of the Governing Council as well as the supervision of the Centre. The Executive Office is made up of the Chairperson of the Governing Council (presiding), and 4 Vice Chairpersons representing the four geographical sub-regions: Northern Region, Southern Region, Western Region, and Eastern Region and representatives of the ILO and UNDP.

19 countries have ratified the ARLAC agreement and these are: Botswana, Egypt, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Namibia, Nigeria, Sierra Leone, South Africa, Sudan, Somalia, Swaziland, Uganda, Zambia and Zimbabwe.

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## **1. Introduction:**

A High Level Symposium on “Decent work in Global Supply Chains” was organised by ARLAC and conducted back to back with the 42<sup>nd</sup> ARLAC Governing Council Meeting in Livingstone, Zambia, from 15 – 19 February 2016.

## **2. Rationale/Justification:**

Global value chains involve outsourcing and cross-border coordination of global production by trans-national firms. They are now estimated to account for 60-80% of international trade (WTO, OECD and UNCTAD, 2013) and over 20% of jobs globally (ILO 2015). It is estimated that value chains generate over US\$ 2 trillion of sales in manufacturing, agricultural and service value chains globally. Global value chains (GVCs) have significant implications for workers and employees in the contemporary economy, many of whom are females and migrants supporting millions more in poor households and communities across the developing world. They provide opportunities for social upgrading including access to better paid skilled work and greater female employment. However, they can also drive social downgrading including precarious work, labour sub-contracting, hazardous and poor work conditions and lack of rights, child labour, excessive working hours and poor wages as they continue to be a problem at many factories in developing countries, creating scandal and embarrassment for the global brands that source from those factories.

Given the limited capacity of many developing-country governments to enforce their own labour laws, multinational corporations have developed their own “codes of conduct” for suppliers, as well as a variety of monitoring mechanisms aimed at enforcing compliance with these codes. Monitoring for compliance with codes of conduct is currently the principal way that both global corporations and labour rights non-governmental organizations address poor working conditions in global supply chain factories.

Corporate codes of conduct and various efforts aimed at monitoring compliance with these codes have been around for decades. While initially these efforts focused primarily on corporate or supplier compliance with national regulations and laws, over time they have become increasingly concerned with compliance with private, voluntary codes of conduct, especially as they apply to labour and environmental standards.

This model of workplace change has provoked debate over, not only the particularities of the codes of conduct and compliance efforts but also their relation to other forms of regulation, especially government regulation. Critics of corporate codes of conduct argue that they displace more thorough government and union intervention and are not designed to protect labour rights or improve working conditions but to limit the legal liability of global brands and prevent damage to their reputations. GVCs can undermine the ability of individual governments to regulate labour conditions and require more effective labour regulation in a global context. Others, however, argue that GVCs also open up new leverage points for global unions and civil society organizations to demand compliance with international labour standards. Private codes and monitoring are not attempts to undermine the state but rather are appropriately flexible responses to the reality of global production networks and the low capacity of developing-country governments to enforce labour laws and regulations fully.

Strategic global alliances are needed to address the systemic drivers of poor labour conditions and to promote decent work in GVCs. The International Labour Organisation has prioritized Decent Work in Global Supply Chains as a focus in 2016. This ARLAC High Level Symposium sought to prepare the

African group for the impending discussions, more so because Africa is a traditional supplier of labour and needs to be protected. It is important that Africa be well prepared for the ILC.

### **3 Goals of the Symposium**

The goal of the high level symposium was to develop knowledge on employment and wellbeing of workers and small producers in global production networks and to promote decent work in global supply chains. The symposium was preceded by a Meeting of Experts organized to provide key background information for discussion by the High Level Ministerial Symposium. Debate on the contributions of the Meeting of Experts was expected to serve as an inspiring stimulus for the Ministers and to provide an opportunity for the Ministers of Labour from ARLAC member states to reach a common position on their contribution to the General Discussion on Global Supply Chains at the 105<sup>th</sup> session of the International Labour Conference in 2016.

ARLAC also organized this symposium to support member countries' efforts to extend decent work to groups of workers who have typically been marginalized from such protection, such as females and migrant workers.

### **4 Symposium Objectives**

The objective was to share knowledge and perspectives required for contributing towards decent work in global supply chains. Specifically, the symposium intended to:

- Identify global supply chains emerging trends and pressures
- Highlight the gains of global supply chains in employment creation;
- specify a set of goals for economic and social upgrading in supply chains in Africa;
- Propose strategies to build more resilient supply chains that support the economic and social upgrading of workers and producers;
- Promote the international labour standards and the decent work agenda.

### **5 Target Group**

The symposium was targeted at Honourable ministers of Labour/employment/manpower from ARLAC member countries and their employment and labour standards specialists.

### **6 Outcomes**

The intended outcomes of the workshop were as follows:

- Positive effect is given to the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). as guidelines for enhancing the positive labour and social effects of the operations of MNEs;
- Adoption by member states of socially responsible labour relations policies and practices in the world of work;
- Governance in a global value chain world;
- Sustainable development;
- Decent work for all.

### **7. Programme:**

The programme for the symposium and other side activities is given as Appendix 1.

## 8. Technical Session:

### 8.1 Country Presentations

Governments seek to attract Foreign Direct Investment (FDI) on the assumption that it will contribute positively to job creation and stimulate new production capacity, spill over benefits, technology transfer and upgrading of skills. Transnational corporations can indeed contribute to more efficient utilization of capital, technology and labour; and create more employment opportunities and improved living standards where they operate. However, the impact of their operations on labour and social policy issues can also give rise to concerns over decent work and thereby adversely affect relations with host countries.

To facilitate the sharing of information and experience, employment and labour standards specialists from each member country were expected to deliver country papers during the symposium on the national initiatives undertaken to design labour protection measures that ensure decent work in the global supply chains. At this Meeting, country delegates made 10-minute presentations covering the following areas among others:

1. Policy frameworks, legislation (including ratified international labour standards) for the promotion of decent work in the global supply chains:  
*All the countries represented have national laws and legislation that uphold decent work and have ratified numerous international labour standards. It was however noted that there are challenges in enforcement, particularly in global supply chains.*
2. Initiatives undertaken by governments (and employers' and workers' organizations) in the ARLAC member States to raise awareness and promote the application of the recommendations set forth in the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration):  
*It was noted that the MNE Declaration is not popularized in most member countries. Ongoing initiatives to promote it include the use of social dialogue, Licensing of Private Employment Agencies, private sector reforms, human resources agreements, and monitoring of business among others.*
3. Decent work deficits in the global supply chains:  
*Decent work deficits in global supply chains include the fact that jobs in global supply chains lack employment security and are characterized by low grades/positions; non unionization of workers; poor OSH and non-portability of social protection.*
4. The role of dialogue between home and host governments; enterprises, government and employers' and workers' organizations; and management and workers at the enterprise level:  
*The challenges here are brought about by language barrier and cultural differences. Internally most governments facilitate bipartite meetings between employers and workers to deal with grievances and improve working relations and conditions. There are also efforts to create forums that bring together buyers, government, employers, workers and other stakeholders to discuss issues of concern in the industry. The respective roles of all social partners were outlined.*
5. Challenges in ensuring decent work in the global supply chains:  
*All member countries shared on the challenges they encounter in ensuring decent work in the global supply chains. These are summed up in the Resolutions of the meeting presented herein.*
6. Recommendations for the promotion of decent work and inclusive growth in the region.  
*All member countries proposed recommendations for the promotion of decent work and inclusive growth in the region. These are summed up in the Resolutions of the meeting presented herein.*
7. Proposed potential future promotional and capacity-building activities.  
*All member countries proposed potential future promotional activities. These include among others, One Stop Shop (OSS) for business registration, private sector reforms; Business*

*Licensing and Regulatory Reforms, Public Private Partnership (PPP) Development, Micro Small and Medium Enterprises (MSME) Development, Labour and Productivity Development and Trade Expansion.*

After the presentations and ensuing discussions, the outcomes were summed up as the Resolutions of the High Level Ministerial Symposium on Decent Work in Global Supply Chains. The Resolutions are presented in the next section.

## **8.2 Decent Work in Global Supply Chains**

Global Supply Chains were defined as cross-border organization of activities required to produce goods or services and bring them to consumers through inputs and various phases of development, production and delivery.

2 main types:

- i. Foreign Direct Investment (FDI) by MNEs in wholly-owned subsidiaries or joint ventures: MNE has direct responsibility for the employment relationship; and
- ii. International sourcing: lead firms' engagement is defined by terms/conditions of contractual arrangements with suppliers and sub-contracted firms. (no ownership, no direct relations except with first-tier suppliers and/or intermediaries)

Such activities normally fall under the purview of trade and commerce institutions but since 2006, the ILO Governing Body has discussed whether to include a similar item on the ILC agenda. In 2013 it finally decided to do so, but many constituents were still not supporting the decision. This is a general discussion. It will not lead to an ILO instrument, a convention or a recommendation. It can result in conclusions, which then would guide the ILO and perhaps lead to ILO programmes and activities. The ILO's involvement stems from the tripartite nature of the organisation and its mandate and expertise in the world of work. The ILO also has convening power to bring together main actors required to bridge governance gaps.

The GSC trends in production, trade and investments were presented. Of particular interest to the symposium were the trends in employment particularly the opportunities created for women, youth and migrants in developing countries. It was also noted that the scale of employment in GSCs is difficult to estimate but substantive and growing and that there are concerns about the quality of employment relating to wages, working time and non-standard forms of employment (NSFE).

It was acknowledged that GSC's contribute to sustainable development only if economic and social upgrading are aligned/mutually supportive. The links are however not automatic and require targeted interventions: policies, regulations, programmes. The recommended types of governance include: public governance; private governance; social partners' initiatives; and multilateral initiatives. The following challenges of different forms of governance were also discussed: crowded and confusing; not coherent or coordinated; and cross-border activities. To close these gaps. The following solutions were profered:

- Practical approaches to harmonize, coordinate and simplify, complementary governance mechanisms to facilitate (rather than hamper) workplace compliance ; and
- Synergistic governance systems to reinforce the layers of governance and strengthen public capacity and social dialogue.

The comprehensive ILO approach involves the following:

- International labour standards
- Closing governance gaps
- Inclusive and effective social dialogue
- Cross-border social dialogue
- Capacity building and development cooperation



- Harmonizing processes and sector-level approaches
- Labour Administration and Inspection
- Knowledge and statistics
- Partnerships

The presentation concluded with insights into the positions of the respective social partners.

## **9. Outcomes: Ministers Report**

### **Preamble**

The Ministerial High Level Symposium on Decent Work in Global Supply Chains was held at the Avani Victoria Falls Resort, Livingstone, Zambia on 17 - 18 February 2016. The following African Regional Labour Administration Centre (ARLAC) member states participated: Botswana, Egypt, Ethiopia, Kenya, Lesotho, Liberia, Malawi, Namibia, Nigeria, Somalia, South Africa, Sudan, Swaziland, Zambia and Zimbabwe. The International Labour Organization (ILO) was also represented. The following member countries were absent at the meeting: Ghana, Mauritius, Sierra Leone and Uganda.

The objectives of the Ministerial High Level Symposium were to:

1. Identify emerging issues and trends in global supply chains;
2. Highlight the gains of employment creation in global supply chains;
3. Specify a set of goals for economic and social upgrading in global supply chains in Africa;
4. Propose strategies to build more resilient supply chains that will support the economic and social upgrading of workers and employers;
5. Strengthen and promote national and international labour standards.

Having considered the country situations and the global perspectives as highlighted by the ILO in the context of the forthcoming General Discussion on Decent Work in Global Supply Chains (GSCs) at the 105<sup>th</sup> International Labour Conference (June 2016), the Ministers acknowledged that;

1. Global supply chains have become a common way of organizing investment, production and trade in the global economy and have created employment and opportunities for economic and social development;
2. Global supply chains contribute to sustainable development only if economic and social upgrading are aligned/mutually supportive;
3. Decent work deficits are prevalent in global supply chains in sectors such as mining, oil and gas, textile and information technology, among others;
4. Most member states have policy frameworks and legislation in place to support decent work in global supply chains; however compliance and enforcement remain a challenge;
5. There is wide ratification but poor implementation of ILO Core Conventions in member states;
6. The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) is not popularised in some countries;
7. Member states need effective social dialogue mechanisms to address decent work deficits in global supply chains.

Furthermore, the Ministers noted, among others, the following challenges with respect to decent work in global supply chains:-

1. Inadequate social protection, especially coverage;
2. Non-compliance with national legislation including a poor culture of workplace compliance;
3. Inadequate capacity of labour inspectors, especially in terms of numbers and skills;
4. High turn-over of labour inspectors;
5. Rapid technology changes;
6. Emergence of non-standard forms of employment, informality and changing occupation classification;
7. The promotion of Foreign Direct Investments (FDI) that sometimes undermines decent work;
8. Non unionisation of workers;
9. Poor Occupational Safety and Health (OSH) culture;
10. Inadequate funding for labour administration systems;
11. Fluctuation of international commodity prices and the resulting adverse impact on quality and quantity of jobs.

In recognition of the above challenges, the Ministers resolved that:-

1. Governments should strengthen labour inspectorates through capacity building and provision of better working conditions to enhance productivity;
2. Member states should mainstream decent work in global supply chains through developing employment strategies, comprehensive social protection measures, promoting social dialogue and guaranteeing rights at work;
3. Decent work must be integrated in policies and programmes aimed at enhancing economic growth and development with due regard to gender equality and labour migration issues;
4. Member states must be encouraged to ratify and implement OSH standards and inculcating a preventive culture of safety and health at work;
5. Member states should provide adequate funding to give prominence to the labour administration systems in the national development agenda;
6. Member States should review policies and legislation to make them responsive to the challenges posed by GSCs;
7. Member states should be encouraged to adopt international occupational classification standards;
8. Enterprises should invest in technological infrastructure and skills development;
9. Dissemination and awareness raising of the MNE Declaration must become a priority;
10. Member states should be encouraged to collaborate, interact and enter into bi/multi-lateral agreements at regional levels in order to standardise labour rights to ensure a level playing field;
11. ILO members should consider developing an instrument on Decent Work in the GSCs, while African countries should in the interim consider developing codes of best practice to address challenges in this area; and
12. ARLAC and ILO should actively engage in training and development, research and knowledge dissemination on issues relating to GSCs.

**10. Appendices**  
**10.1 Programme of Activities**

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<b>MONDAY 15 FEBRUARY 2016</b>	
<b>MEETING OF EXPERTS ON DECENT WORK IN GLOBAL SUPPLY CHAINS</b>	
0830 – 0900	REGISTRATION AND ADMINISTRATIVE ARRANGEMENTS
0900 –1000	OFFICIAL OPENING
1000-1030	<b>HEALTH BREAK</b>
1030 - 1045	WORKPLAN, OVERVIEW AND ELECTION OF MODERATOR/DRAFTING COMMITTEE - Mr. D.E. Neburagho
1045 - 1300	MEMBER COUNTRIES ON DECENT WORK IN GLOBAL SUPPLY CHAINS AND DISCUSSIONS
1300 - 1400	<b>LUNCH BREAK</b>
1400 - 1530	DRAFTING OF REPORT ON DECENT WORK IN GLOBAL SUPPLY CHAINS
1530 - 1600	<b>HEALTH BREAK</b>
1600 -1630	ADOPTION OF REPORT ON DECENT WORK IN GLOBAL SUPPLY CHAINS
<b>TUESDAY 16 FEBRUARY 2016</b>	
<b>MEETING FOR PERMANENT/PRINCIPAL SECRETARIES AND DIRECTORS-GENERAL (PS/DGs)</b>	
0900 - 1000	CONSIDERATION OF THE RESOLUTIONS OF THE 11 <sup>TH</sup> MEETING FOR PS/DGs
1000 – 1030	<b>HEALTH BREAK</b>
1030 - 1230	CONSIDERATION OF THE 42 <sup>ND</sup> ARLAC GOVERNING COUNCIL MEETING AGENDA ITEMS
1230 - 1330	<b>LUNCH BREAK</b>
1330 - 1530	SYNTHESIS/CRAFTING OF RECOMMENDATIONS ON GOVERNING COUNCIL AGENDA ITEMS
19:00	WELCOME RECEPTION - HOST MINISTER OF LABOUR AND SOCIAL SECURITY, HON. F. SHAMENDA (MP)
<b>WEDNESDAY 17 FEBRUARY 2016</b>	
<b>MINISTERIAL HIGH LEVEL SYMPOSIUM ON DECENT WORK IN THE GLOBAL SUPPLY CHAINS</b>	
0900 - 0930	OFFICIAL OPENING
0930 - 1000	<b>HEALTH BREAK AND GROUP PHOTOGRAPH</b>
1000 - 1030	THE REPORT OF EXPERTS ON DECENT WORK IN THE GLOBAL SUPPLY CHAINS
1030 - 1145	DECENT WORK IN THE GLOBAL SUPPLY CHAINS (Ms A. Van Leur, ILO AND DISCUSSIONS
1145 - 1300	RECENT REFORMS AND INNOVATIONS IN LABOUR ADMINISTRATION: LESSONS LEARNED (Mr. Ludek Rychly, ILO) AND DISCUSSIONS
1300 - 1400	<b>LUNCH BREAK</b>
1400 – 1600	DRAFTING OF MINISTERIAL HIGH LEVEL SYMPOSIUM REPORT ON DECENT WORK IN GLOBAL SUPPLY CHAINS
1630 - 1800	BOAT CRUISE
<b>THURSDAY 18 FEBRUARY 2016</b>	
0900 - 1000	PRESENTATION & ADOPTION - THE MINISTERIAL HIGH LEVEL SYMPOSIUM REPORT ON DECENT WORK IN GCSs
1000 - 1030	<b>HEALTH BREAK</b>
1030 - 1300	<b>42<sup>ND</sup> SESSION OF THE ARLAC GOVERNING COUNCIL MEETING FOR MINISTERS</b>
1300 - 1400	<b>LUNCH BREAK</b>
1600 - 1630	ADOPTION OF THE RESOLUTIONS OF THE 42 <sup>ND</sup> ARLAC GOVERNING COUNCIL MEETING
1630 - 1800	OPTIONAL TOUR OF THE VICTORIA FALLS

## 9.2 List of Delegates

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