



THIRD ITEM ON THE AGENDA

**HIV/AIDS and the Decent Work Agenda:
Responding to need****I. HIV/AIDS and decent work**

1. Wherever people are at work, their aspirations and problems are in some way the mission of the ILO. All ILO activities are concerned, to a greater or lesser degree, with decent work and adequate income as the means of protecting rights, reducing poverty and promoting development. The Decent Work Agenda encapsulates the basic mandate and core values of the ILO, and provides the framework for action.
2. Today, the global HIV/AIDS epidemic threatens every aspect of the Decent Work Agenda and the ILO's strategic objectives. It reduces the supply of labour and undermines the livelihood of millions of workers and those who depend on them. The loss of skills and experience in the workforce threatens productivity and diminishes the capacity of national economies to deliver goods and services on a sustainable basis. Fundamental principles and rights at work are undermined through discrimination against those affected. The informal economy – employing half of the world's workers – is particularly vulnerable to the epidemic because of its reliance on human resources. The well-being of future generations of working people is threatened by AIDS, as children are orphaned or forced to leave school to care for sick family members or work as child labourers. The death of workers today, and reduced opportunities for workers tomorrow, impoverishes the stock of human capital and the capacity of nations both to cope with AIDS and to move beyond it.
3. The goals of the Decent Work Agenda will be impossible to achieve unless initiatives against AIDS are explicitly integrated into decent work country programmes and mainstreamed into ILO activities at headquarters and in the field. AIDS is an issue at every workplace, and worsens every decent work deficit.
4. At the same time, however, the Decent Work Agenda provides the means for tackling HIV/AIDS in the world of work. The workplace is an ideal setting to respond to HIV/AIDS. It includes those most affected and at risk: the ILO has estimated that 26 million of the 42 million people living today with HIV/AIDS are workers in their productive prime (15-49 years), the mainstay of families and communities. The workplace is conducive to prevention messages, care and support, and the promotion of standards and rights; it provides conditions for monitoring the impact and effectiveness of interventions. Decent work provides a common framework for the ILO's unique tripartite constituency to

take action against HIV/AIDS, based on workplace policies and programmes. It shows how to take a more integrated approach to the concerns of the world of work, and provides a methodology for the ILO response to AIDS with respect to each of the strategic objectives.

5. The ILO's tripartite constituents are at the heart of the ILO's response: by listening to their needs the ILO took action, and the fundamental approach of the ILO's Programme on HIV/AIDS is to work with, through, and for constituents whose livelihoods and very lives are at stake.

Social dialogue – Employer and worker collaboration

On 12 May 2003, in the context of an ILO-Global Compact policy dialogue on HIV/AIDS, employers and workers – with the participation of governments and NGOs – met to plan a common response to HIV/AIDS. The meeting also provided a platform for the general secretaries of the International Organisation of Employers and the International Confederation of Free Trade Unions to issue an historic joint statement committing their organizations and their members to collaborative action on HIV/AIDS at all levels, especially in the workplace.

II. Responding to the challenge of HIV/AIDS in the world of work

6. Although the ILO's involvement in the fight against HIV/AIDS goes back to 1988, when it held a consultation with the World Health Organization,¹ it was a decade later that mounting concern on the part of constituents, especially in Africa, resulted in a Regional Tripartite Meeting in Windhoek, Namibia, in 1999. This drafted a *Platform of action on HIV/AIDS in the context of the world of work in Africa*. The Platform was subsequently endorsed by the ILO's African constituents at their ninth Regional Meeting in Abidjan, December 1999. This was followed by the unanimous adoption of a landmark resolution on HIV/AIDS and the World of Work at the 88th Session of the ILC in June 2000, which recognized that "HIV/AIDS threatens decent work in an all-embracing manner", and requested the Director-General to expand the capacity of the Office to respond.

Mainstreaming HIV/AIDS in the ILO

Units and programmes addressing AIDS at ILO headquarters and in the field include SafeWork (the SOLVE programme on psycho-social workplace problems), COOP, MIGRANT, SECTOR, Jobs for Africa, SEED, STAT, STEP, NORMES, the Crisis and Social Dialogue InFocus Programmes, and the Bureaux for Employers' and Workers' Activities, among others. IPEC, for example, has published five working papers on HIV/AIDS and child labour, and recently held a workshop in Zambia on the issue (May 2003).

7. Newly-elected Director-General Juan Somavia took rapid action, and the global ILO Programme on HIV/AIDS and the World of Work (ILO/AIDS), established on World AIDS Day 2000, was a rapid response to the ILC resolution. Recognizing the enormous potential of the tripartite constituents to contribute to national efforts to fight AIDS, the main thrust of the new programme was to strengthen the capacity of the social partners to formulate and implement workplace policies and programmes to prevent the spread of HIV/AIDS, reduce its impact on workers, their families and communities, and protect the rights of those affected. The ILO's long experience in setting standards and providing technical cooperation provided a unique advantage for the new programme in its mission to help the tripartite constituents cope with the implications of the epidemic.

¹ Statement from the consultation on AIDS and the workplace, Geneva, 27-29 June 1988, WHO and ILO.

8. The challenge for the new programme was to be true to the ILO's mandate, to maximize the comparative advantages of the Organization, and to pursue a focused agenda while promoting the mainstreaming of the issue throughout the Office. An integrated approach was structured through an Inter-departmental Task Force at headquarters and a network of HIV/AIDS focal points in the field. A strategic and ILO-specific agenda was developed by listening to the concerns, experience and needs of the constituents, and supporting their ability to respond. In particular, the ILO's commitment to help its constituents fight HIV/AIDS was strengthened by the drafting of the ILO code of practice on HIV/AIDS and the world of work, which was to become a milestone in the Office's expanded and intensified response to the epidemic and its impact on the world of work.

Social protection

ILO/AIDS is working with social security experts, STEP, and the Social Finance Unit to monitor and respond to the impact of AIDS on insurance, including discrimination against HIV-positive workers and the potential of decentralized and micro-insurance schemes.

9. In line with the ILC resolution, the objectives of the ILO/AIDS programme are to increase understanding of HIV/AIDS as a labour and development issue; to mobilize the commitment and resources of the constituents locally, nationally and globally; to promote a systematic response to AIDS through workplace policies and programmes; and to enhance the capacity of the constituents to plan and develop these. The main areas of activity are therefore research and policy analysis; awareness raising and advocacy; advisory services, policy guidance and training; building partnerships at national and international levels, with an emphasis on collaboration in technical cooperation; and the documenting and disseminating of good practices from national experience. Improved availability and affordability of anti-retroviral treatment, and growing awareness of the costs to business of human resource losses, have provided the impetus for including elements of care, treatment and social protection in workplace programmes.

Co-investment in care

A pilot programme for Guyana, Nigeria and the United Republic of Tanzania will focus on the provision of a comprehensive package of prevention, care and treatment through public-private partnerships. Key elements will be the upgrading of occupational health services, the development of workplace-based education and the training of trainers and peer educators. The employer will pay costs at the workplace while the donor extends access by sponsoring treatment of spouses and children.

10. As the UN agency with special responsibility for the world of work, the ILO became the eighth co-sponsor of the Joint United Nations Programme on HIV/AIDS (UNAIDS) in October 2001, following authorization by the Governing Body at its June 2001 session. The ILO's particular contribution to the UNAIDS partnership is its tripartite membership in over 175 member States, its workplace presence, and the social dialogue process to promote effective collaborative action. ILO/AIDS represents the ILO in the UNAIDS Committee of Co-sponsoring Organizations (CCO) and contributed the world of work component to the UN System Strategic Plan for HIV/AIDS for 2001-05. ILO staff in field offices are participating actively in the UN theme groups on HIV/AIDS.
11. The role of the workplace in HIV/AIDS prevention, rights protection and care was recognized by the UN General Assembly Special Session on HIV/AIDS (June 2001), which established goals for national and international efforts in a Declaration of Commitment on HIV/AIDS. Two are of particular relevance to the ILO and endorse its contribution to the global effort: "Strengthen the response to HIV/AIDS in the world of work by establishing and implementing prevention and care programmes in public, private and informal work sectors" (paragraph 49) and "Develop a national legal and political framework that protects in the workplace the rights and dignity of persons living with and

affected by HIV/AIDS ... taking account of established international guidelines” (paragraph 69). The ILO is working with UNAIDS to monitor and report on progress in meeting these goals.

ILO and UNAIDS in Egypt

With the National AIDS Programme, the two agencies held a workshop for the hotel and tourism sector in Egypt, leading to a policy for the sector based on the ILO code of practice.

(a) International guidelines for workplace policies and programmes

12. Because AIDS is such a sensitive issue and so far removed from the traditional concerns and experience of the ILO’s constituents, one of the first initiatives of the new programme was the development of a code of practice on HIV/AIDS and the world of work.² This provides practical guidance to governments, employers and workers, as well as other stakeholders, for developing national and workplace policies to combat the spread of HIV/AIDS and mitigate its impact. The code is based on widely accepted ILO standards and principles, and covers the key areas of prevention and behaviour change, protection of workers’ rights and benefits, and care and support. It applies to all employers and workers in the private and public sectors, and all aspects of work, formal and informal. The code has been translated into over 27 languages to date covering all regions, and policy-makers and workplace partners in over 60 countries have been using provisions of the ILO code as the basis for their own national action programmes, enterprise policies and collective agreements. The code has been instrumental in strengthening the involvement of the private sector in action against HIV/AIDS, guiding the extension of workplace programmes to the community level, and bringing the workplace perspective and issues into national AIDS programmes and global efforts.

Indonesia commits to code of practice

In February 2003 the Government, employers’ and workers’ organizations signed a Tripartite Declaration of Commitment to take action against AIDS in the world of work, using the ILO code of practice to guide policies and programmes.

13. To complement and guide the application of the code, the ILO has produced an accompanying document, *Implementing the ILO code of practice on HIV/AIDS and the world of work: An education and training manual*. The emphasis of the manual is on practical activities and guidelines to help users apply the ILO code to national strategic plans and workplace policies and programmes. The code and manual together represent a tool to strengthen the capacity of the constituents to carry out focused, effective and sustained action.

² The code was developed through widespread consultations among ILO constituents in all regions, approved by a tripartite meeting of experts in Geneva, May 2001, and adopted by the Governing Body on 22 June 2001. It was formally launched by the Director-General and representatives of the tripartite constituents a few days later in New York at the United Nations General Assembly Special Session on HIV/AIDS, and welcomed by the United Nations Secretary-General.

Training: Distance-learning initiative

ILO/AIDS has linked up with the University of Stellenbosch to establish the African Centre for HIV/AIDS management in the world of work, providing distance-learning opportunities in over 30 countries in the region.

- 14.** The ILO is now promoting the active implementation of the code: training and advisory services are being provided for governments and the social partners on integrating workplace issues in national AIDS strategies (e.g. Brazil, China, Guyana, India, Indonesia, Russian Federation, South Africa, Ukraine, Zambia and Zimbabwe), on revising labour laws to address HIV/AIDS (e.g. Barbados, Cambodia, Ghana, Commonwealth of Independent States countries, United Republic of Tanzania and Thailand), and on the development of workplace policies and programmes in over 50 countries. The code and the manual – which now exists in Arabic, Chinese, English, French, Russian and Spanish – have been used to provide technical assistance and needs-based training to the constituents, as well as to develop institutional capacity, in all regions.

Guidelines for the African Union

The AU secretariat has formally requested collaboration with the ILO in developing guidelines for a continent-wide strategy for incorporating workplace issues in national AIDS plans and socio-economic development programmes.

- 15.** Extra-budgetary projects being implemented by ILO/AIDS include workplace programmes to prevent HIV and combat discrimination in 24 countries (US Department of Labor – USDOL); action research into labour and the socio-economic impact of AIDS in selected African countries and the legal/policy framework for workplace action (Italy); HIV prevention in the transport sector and informal economy in 11 African countries (Sweden); the promotion of public-private partnerships in the provision of care at the workplace (France); extending and strengthening workplace policies and programmes on HIV/AIDS, including sharing examples of good practice (Germany).
- 16.** Within the Office itself, the code has been used as the basis of the ILO personnel policy on AIDS which was issued by the Director-General to all staff in July 2001. This has been followed by sensitization sessions for staff in some field offices (including Harare, Moscow, Bangkok, Abidjan, Beijing, Yaoundé) and the Turin Centre.
- 17.** The ILO code has also been adopted as the standard for the UN system as a whole, and system-wide guidelines and information and training packages have been developed with technical assistance by ILO/AIDS. In addition, under the auspices of UNAIDS and the Inter-Agency Advisory Group on HIV/AIDS (IAAG), the ILO has been given the responsibility for monitoring compliance by UN agencies with key provisions of the ILO code. The first compliance report was presented to the UNAIDS CCO meeting in Paris in April 2003.

Training – Brazil

The ILO Office in Brasilia is working with the STD and AIDS National Coordination (CNSTD-AIDS), the National Confederation of Industry (CNI) and the National Business Council on HIV/AIDS to develop a training programme on HIV/AIDS and the world of work, using the ILO education and training manual, translated and adapted to the specifics of the Brazilian situation. An 80-hour course is being prepared for 30 officials from companies/employers' organizations, trade unions and the federal Government.

(b) Knowledge management: Impact monitoring, advocacy and information dissemination on good practice and lessons learned

18. The multidimensional implications and emergency status of the HIV epidemic highlight the importance of knowledge management in documenting and disseminating relevant information, as well as supporting advocacy. The regular newsletter, the ILO/AIDS web site, working papers and technical meetings all contribute to this end. Policy-oriented research has focused on the labour market, employment and human capital costs of the epidemic. Within the framework of UNAIDS, the ILO has a particular responsibility to provide information on the epidemic's impact and related trends in the world of work, including monitoring progress in the implementation of the goals of the Declaration of Commitment. ILO/AIDS is developing indicators and putting in place a database to monitor and evaluate the status and impact of workplace initiatives. Models are being developed within the Office to incorporate HIV/AIDS concerns into standard ILO surveys. The programme is also part of the UNAIDS Country Response Information System (CRIS) and cooperates with the World Bank's Global AIDS Monitoring and Evaluation Support Team (GAMET).

Technical meetings

Technical meetings have taken place on migration and on the informal economy, as well as side-events to the ILC on social dialogue (2002) and care and treatment (2003), organized jointly by ILO/AIDS and relevant ILO units/programmes.

19. Analysing what makes good practice, sharing lessons learned and distilling experience into guidelines for action are among the core functions of ILO/AIDS. Regional and subregional tripartite meetings organized by the ILO or the constituents with support from the Office have been especially useful for the sharing of information on national experience concerning HIV/AIDS workplace policies and programmes. An interregional tripartite meeting on best practices in HIV/AIDS workplace policies and programmes has been approved by the Governing Body and supported by UNAIDS; this will take place at the ILO in Geneva from 15 to 17 December 2003. Preparations are under way, including regional consultations and background studies. The meeting will be a step in the implementation of the code of practice.

(c) Building partnerships: Cooperation and technical assistance

20. In addition to partnerships with UN-system agencies in the framework of UNAIDS and the Inter-Agency Advisory Group on AIDS (IAAG), the ILO has expanded its collaboration on HIV/AIDS with a number of international and regional institutions in order to optimize the effectiveness of its own HIV/AIDS programme and avoid costly duplication of efforts. Technical cooperation partners of ILO/AIDS now include the US Department of Labor, GTZ, SIDA, Italian and French development cooperation agencies. The OPEC Fund for International Development has approached the Director-General regarding support for ILO/AIDS projects in the least developed countries.

US-Russia Business and Labour Summit on AIDS

ILO/AIDS has been closely involved in the preparations for this summit in September 2003, including being instrumental in bringing representatives of the social partners from the Russian Federation to the United States. The Summit takes place in the context of the Bush-Putin meetings in Washington on 26 and 27 September 2003.

21. In parallel, the ILO has strengthened links with the World Economic Forum's Global Health Initiative, the Global Compact, the Global Business Coalition on HIV/AIDS, and Harvard University's AIDS and Enterprise initiative – plus various multinational companies on an individual basis – to promote and support workplace action. The ILO Director-General took part in the key consultations on HIV/AIDS during the Davos Forum this year, and ILO/AIDS is producing materials on workplace action against AIDS for the regional summits of the World Economic Forum. The Global Compact, the ILO and UNAIDS have joined forces to mobilize Global Compact members, and the ILO hosted a Global Compact Policy Dialogue on HIV/AIDS in May 2003.

III. The future direction: From awareness raising to action

22. In striving to ensure an extraordinary response to AIDS and its impact on the world of work, the ILO is still confronted with challenges in mobilizing the tripartite constituents, strengthening their capacity to sustain effective action, and mainstreaming HIV/AIDS in its own programmes and activities. Priorities for implementing the ILO code of practice on HIV/AIDS in the context of the Decent Work Agenda relate to the following areas of the ILO's mandate where decent work deficits are caused or worsened by HIV/AIDS: productivity and enterprise development; labour protection and occupational health and safety; social security and income protection; rights at work and gender equality; labour market monitoring, employment planning and skills development; sector-specific activities; and child labour. Linkages between the workplace and community, and extending initiatives into the informal economy, are also priority areas for action. ILO/AIDS will also work towards the decentralization and local ownership of the response to AIDS through strengthening local capacity, encouraging local monitoring, and guiding constituents to local sources of funding.
23. Experience gained to date and lessons learned from the tripartite partners emphasize the need for the ILO to continue to advocate the importance of the workplace as a venue for awareness-raising, prevention, care, and the protection of rights; the contribution of the social partners to national efforts; and the socio-economic dimension its programme adds to the global effort. In particular, the ILO should encourage its constituents to show leadership and take action to carry out workplace policies and programmes and provide a conducive legal and policy framework.
24. The ILO code of practice on HIV/AIDS is a powerful and adaptable instrument that has received an unprecedented level of support. It has provided the Office and the constituents with a sound basis on which to initiate and extend action in the world of work. It has also paved the way for the development of an instrument with legal force: much interest is being expressed by constituents in all regions in the possibility of an ILO Convention on HIV/AIDS and the world of work, the culmination of the process which began in June 2000 when the ILC unanimously adopted the resolution on HIV/AIDS.
25. The Committee is invited to review and comment on the report with a view to advising the Office on the further strengthening of its programme of work through the integration of initiatives against AIDS in all relevant activities at headquarters and in field offices.

Geneva, 23 September 2003.

Submitted for discussion

Appendix I

Overview of ILO/AIDS activities, 2002-03

Technical cooperation projects	<p>International HIV/AIDS workplace education programme, funded by the USDOL, in ten countries and two subregions</p> <p>HIV/AIDS prevention in the transport and in the informal sector in selected African countries, funded by SIDA-Sweden, in 11 countries</p> <p>HIV/AIDS and the world of work: Consequences for labour and socio-economic development, funded by Italy, in ten countries</p> <p>Implementing HIV/AIDS workplace policies and programmes, funded by GTZ-Germany, in seven countries</p> <p>Labour market and employment implications of HIV/AIDS, funded by SIDA-Sweden, in three countries</p> <p>Projects funded by UNAIDS Programme Acceleration Funds, in 13 countries</p>
Meetings, training workshops, other support activities	<p>ILO/AIDS participation in nine global meetings</p> <p>13 regional events, 27 national and technical meetings, training workshops</p> <p>Four fact-finding missions</p> <p>Support to elaborate funding bids, workplace policies and programmes, project documents: six countries</p>
Publications	<p>Training and education manual: <i>Implementing the ILO code of practice on HIV/AIDS and the world of work</i> (English). French and Spanish versions: summer 2003</p> <p><i>Contributing to the fight against HIV/AIDS within the informal economy: The existing and potential role of decentralized systems of social protection</i>, ILO/STEP and ILO/AIDS, 2002 (English)</p> <p>Working Paper 1: <i>Labour market and employment implications of HIV/AIDS</i>, Franklyn Lisk, 2002 (English)</p> <p>Working Paper 2: <i>Human capital and the HIV epidemic in sub-Saharan Africa</i>, Desmond Cohen, 2002 (English)</p> <p>Working Paper 3: <i>HIV/AIDS and human rights: Promoting human rights through the ILO code of practice on HIV/AIDS and the world of work</i>, Marie-Claude Chartier, 2002 (French, English)</p> <p>Working Paper 4: <i>Technical cooperation and the HIV epidemic</i>, Desmond Cohen, 2003 (English)</p> <p>ILO handbook: <i>HIV/AIDS no Mundo do Trabalho: as Ações e a Legislação Brasileira</i>.</p> <p><i>"Toolkit" for the social partners in the Asia-Pacific and Africa regions as part of the UNAIDS partnership menus: Action against AIDS in the workplace</i> (also translated into Chinese, Khmer and Vietnamese)</p>

Appendix II

Examples of activities with ILO constituents

Training for government officials

Following successful meetings of labour inspectors in Central and Eastern Europe, and training courses in Senegal, further training on HIV/AIDS and labour inspection is planned with the African Regional Labour Administration Centre, Harare, March 2004.

Asia Pacific Regional Seminar on International Labour Standards and Equality Issues for Judges, Manila, 16-19 September 2003: High-level judges and worker and employer representatives from 11 Asia-Pacific countries convened to address the relevance and use of international labour standards on equality, and the ILO supervisory system. The seminar included sessions on HIV/AIDS and was complemented by ILO training materials on discrimination that guide labour judges/industrial tribunals in rulings related to HIV status.

Employers and their organizations

As well as employer-specific activities in every TC project, ILO/AIDS has offered technical support for the development of policies, training materials and events at global level and in Africa, Asia, Latin America and the Caribbean, the CIS and the Arab States. The programme has provided advisory services to employers' organizations and supported the development of business coalitions on AIDS in, for example, Ethiopia, Singapore, and Zambia. It has contributed to a range of meetings at all levels, including subregional meetings for employers in West/Central and in East/Southern Africa, the Caribbean and the CIS, for employers in the Syrian Arab Republic, and for the hotel and tourism sector in Egypt. Sectoral meetings have also been held for the social partners in the transport sectors of eight southern African countries. Most recently, ILO/AIDS supported the ECOWAS Conference in Ghana: "Scaling up the response of the private sector in the fight against HIV/AIDS", September 2003.

Workers and their organizations

As well as worker-specific activities in every TC project, ILO/AIDS has offered technical support for the development of trade union policies, training materials and campaigns at global level and in Africa, Asia, Latin America and the Caribbean, and the CIS. The programme has contributed to a range of meetings including ICFTU and OATUU regional meetings in Africa (and ICFTU in Asia), consultation with global union federations, seminar for the Arab States on AIDS and the role of trade unions, participation in regional (Africa) and global meetings of the International Transport Workers' Federation and Public Services International, national workshops on health and safety and HIV/AIDS in Barbados, Belize, Jamaica, Trinidad and Tobago (among others). Sectoral meetings have also been held for the social partners in the transport sectors of eight southern African countries.