



FOURTH ITEM ON THE AGENDA

Improvements in the standards-related activities of the ILO: Outlines of a future strategic orientation for standards and for implementing standards-related policies and procedures**Introduction**

1. At its 292nd Session (March 2005), the Governing Body examined a document setting out the main developments and results obtained in the area of standards-related activities since 1994, with a view to assessing the progress made and defining the need for and the nature of possible new action in this area. The document concluded with a number of open questions, namely: what strategy should now be put in place for the effective promotion, ratification and implementation of some 70 Conventions and 70 Recommendations that are up-to-date; what further action should be taken to make effective the entry into force of the 1997 constitutional amendment; how to continue to make the supervisory system more effective in the context of a growing number of ratifications, especially of the fundamental Conventions; how to continue to improve the effectiveness of reporting mechanisms; what strategy to adopt in the future with regard to the agenda of the Conference; what technical cooperation and assistance strategy should be put in place; if certain Conventions should be the targets for specific promotion, how this could be done in a coherent and efficient manner; and what further action the LILS Committee could consider relevant at the present stage.¹
2. Following the discussion, the Governing Body requested the Office to prepare for this session a new document concerning possible improvements to standards-related activities, including outlines of a future strategic orientation for standards and for implementing standards-related policies and procedures. It also invited the Director-General to launch, as a priority, a campaign for the ratification or acceptance of the Constitution of the International Labour Organization Instrument of Amendment, 1997. In view of the

¹ See GB.292/LILS/7, para. 40.

usefulness of the information contained in the document submitted in March, it was also considered that it should be redistributed in November.²

3. In the course of the discussions, many suggestions were made regarding the various questions indicated in paragraph 1. In order to define a clear and coherent strategy for the future, the Office was also asked for information on existing strategies, especially with regard to technical cooperation and promotional activities. Examples of these activities, which have been carried out during the biennium under various strategic objectives, are set out in the appendix.

Action taken since March 2005

4. Since March 2005, the Office has taken action to launch a campaign for the ratification or acceptance of the Constitution of the International Labour Organization Instrument of Amendment, 1997. The relevant letter will be dispatched shortly to member States. This letter is being accompanied by a document containing commonly asked questions and answers with a view to facilitating a clear understanding of the purpose and object of the constitutional amendment. The success of this campaign would permit the entry into force of the Amendment and the abrogation of the Conventions on which agreement has been reached that they are obsolete and which meet the conditions set out in the Amendment. Concerning the Committee on the Application of Standards, this year the Office has followed up on a more diversified approach to the treatment of the failures to fulfil reporting and other obligations. Specific follow-up letters have been sent out by NORMES to member States that had failed to comply with their reporting and other standards-related obligations. They requested member States to identify difficulties and encouraged them to examine the option of technical assistance to overcome these difficulties. It should also be noted that in 19 individual cases, the Conference Committee's recommendations referred to technical assistance and cooperation by the Office.
5. As regards communications, the Standards Department published in August: *Rules of the game: A brief introduction to international labour standards*, an easy-to-use booklet aimed at a non-specialist audience, and a new web site on standards was launched. Another book produced by the Standards Department and the Bureau for Employers' Activities, entitled *Employer organizations and the supervisory mechanisms of the ILO* will appear shortly. The Department also issued a CD-ROM containing the 2005 Report of the Committee of Experts on the Application of Conventions and Recommendations, indexed by country, Convention and subject, as well as pending comments and the report of the Conference Committee on the Application of Standards at the International Labour Conference in 2004. It has also prepared a revision of the *Handbook of procedures relating to international labour Conventions and Recommendations*, which is due to be published in early 2006. The Turin International Training Centre is also preparing a revised version of the *Guide to international labour standards*, as well as an interactive training DVD on standards.

A possible vision and strategy for standards: Going forward

6. An integrated and comprehensive strategy for international labour standards would give new meaning and impetus to international labour standards as a means of achieving social progress and thus development. The Report of the World Commission on the Social

² See GB.292/LILS/7 and GB.292/10(Rev.), section VII.

Dimension of Globalization³ reaffirmed once more the acceptance by the international community of the value of international labour standards as a means to improve the conditions of employment and labour worldwide. This recognition supports concrete action to strengthen the linkage between standards and economic and social development, both through national efforts and international cooperation.

7. International labour standards contribute, inter alia, to the rule of law, institutions for good governance, well functioning labour markets, productive employment, gender equality and effective social dialogue. They also contribute to development, but how well they do so depends on their coherence, relevance and impact in addressing obstacles to, and opportunities for, progress at the country level. This would require better coordination between the promotion of standards and other economic and social development priorities at the international level.
8. Any discussion of a strategic orientation for standards and for implementing standards-related policies and procedures must have as its primordial objective the strengthening of the ILO standards and supervisory system. Standards are the lifeblood and the cornerstone of the ILO. They provide the authoritative benchmarks for assessment of social progress and compliance by ILO member States. In light of the foregoing, a strategy with four interrelated components is being proposed. The first component would be directed towards a better promotion and application of the existing corpus of up-to-date ILO standards, the second towards the strengthening of the supervisory system, the third towards the importance of achieving greater visibility of ILO standards and the fourth would be technical assistance, technical cooperation and capacity building.

From global standard setting towards more balanced progress in application

9. The first component of this strategy would emphasize the need to focus on the better application of the 73 up-to-date ILO Conventions, the five Protocols as well as the 76 up-to-date ILO Recommendations out of the total of 185 Conventions, five Protocols, and 195 Recommendations. It would seek to focus on achieving significant and more balanced progress in the application of ILO standards by 2019 when the ILO will celebrate its 100th anniversary. The emphasis would be placed on the promotion of ratification and more effective implementation and compliance with ILO standards as well as on their greater influence even where the Conventions concerned have not been ratified. The promotional campaigns for the ratification of the fundamental Conventions have borne much fruit so that today, the ILO has achieved record levels of ratifications of these Conventions.⁴ While the ratification campaign is continuing, with a view to achieving the universal ratification of all these Conventions, the focus will clearly now need to shift to assisting these countries to improve compliance with the obligations contained in these Conventions. It also means that there is a need to ensure a more balanced ratification and application of the up-to-date non-fundamental Conventions, i.e. the technical

³ *A fair globalization: Creating opportunities for all*, 2004.

⁴ Out of the 178 ILO member States, 144 have ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 154 the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 168 the Forced Labour Convention, 1930 (No. 29), 165 the Abolition of Forced Labour Convention, 1957 (No. 105), 141 the Minimum Age Convention, 1973 (No. 138), 156 the Worst Forms of Child Labour Convention, 1999 (No. 182), 162 the Equal Remuneration Convention, 1951 (No. 100), 163 the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Conventions – ranging from the priority Conventions⁵ to the others such as those concerning occupational safety and health.

10. One of the elements of the strategy to ensure a more balanced promotion of important ILO standards would be to promote improved knowledge of the real impact of standards in all member States, including development realities. The aim would be to seek to achieve qualitative as well as quantitative improvement of that impact within a reasonable period of time through greater implementation and, to the extent possible, wide-scale ratification of all relevant ILO standards, not only of the fundamental Conventions. To ensure that this objective can be realized, greater coherence and effectiveness of standards is necessary, including in meeting development objectives.
11. The means for achieving this objective would essentially be technical cooperation and proposals for standard-setting activities primarily directed at the updating and enhancement of the acceptability of existing standards. The strategy should seek to implement some of the proposals presented to the 85th, 87th and 89th Sessions⁶ of the International Labour Conference for improving standards-related activities and could be inspired by many of the promotional ideas underlying the follow-up to the 1998 Declaration on Fundamental Principles and Rights at Work.
12. In order to reinforce the Office's capacity in this area, it is necessary for it to have available a wide range of tools, including empirical evidence concerning the economic impact of labour standards. While the ILO's main concern must remain the protection of the rights embodied in international labour standards, the acceptability and efficacy of those standards also depend upon their potential contribution to economic and social development, including employment. This needs to be an important area of research for the Office in the coming biennium, and it may be able to take advantage of similar research performed in ILO member States with respect to their various national situations. It is fundamentally important that international labour standards are integrated into all the ILO's programmes and activities. This necessarily includes the decent work country programmes, which will be the main vehicle for the 2006-07 programme and budget of the ILO.
13. Concerning standards policy, it would be necessary to consider how to take forward the outcomes of the results of the ILC discussions on the integrated approach, the maritime instruments and the conclusions of the 1995-2002 review process (the Cartier Working Party).⁷ It is also urgent to develop a new consensus on a future ILO standards policy. In

⁵ The priority Conventions are the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), the Employment Policy Convention, 1964 (No. 122), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

⁶ ILO, Reports of the Director-General: *The ILO, standard setting and globalization*, ILC, 85th Session, Geneva, 1997; *Decent work*, ILC, 87th Session, Geneva, 1999; *Reducing the decent work deficit – A global challenge*, ILC, 89th Session, Geneva, 2001.

⁷ These conclusions include decisions to revise 22 Conventions. These decisions are being considered in different areas. In the *maritime* sector the revision of ten maritime Conventions is ongoing in the context of the consolidation of the 68 instruments. As regards *occupational safety and health* (OSH), the global strategy adopted in 2003 set directions and priorities for the revision of four Conventions and six Recommendations. Concerning the instruments on hazardous substances, a tripartite meeting of experts on chemicals will be held in Feb. 2007 to give further directions in this area and, as regards those on guarding of machinery, data is being collected and examined in order to develop a code of practice as a first step. In the *fishing sector* a Convention and Recommendation revising three Conventions is under way and should be finally considered by

this context, it will be important to give consideration to preparing the ground for new standards that add value to the existing body of standards, with due regard to development requirements and the contribution that can be made by technical assistance and cooperation. Further consultations are necessary on this important issue before the November 2006 session of the Governing Body.

A modernized, integrated and coherent supervisory system

14. The ILO supervisory system is the most advanced in the UN system. It has stood the test of time and has helped countries to achieve significant social progress. Concerning the regular supervisory procedure – relating to reporting under article 22 of the ILO Constitution – the total number of ratifications at 18 August 2005 was 7,335 compared with 5,330 in 1990, representing an increase of 38 per cent in 15 years. This creates important challenges both for member States and for the Committee of Experts on the Application of Conventions and Recommendations (CEACR). While a new reporting arrangement was implemented as of 2003 and is expected to be reviewed in 2008, the Office considers that some initial assessment of the functioning of the current system may already be possible. Some suggestions put forward relate to: the need for a more simplified reporting system, for maintaining a balance between identifying serious breaches of standards and creating inducements for ratification and compliance; and taking into account solutions that have been implemented in the framework of other international treaties.⁸
15. The Conference Committee on the Application of Standards has its basis in article 23, paragraph 1, of the ILO Constitution. In recent times, a number of comments have been made concerning its functioning. It would appear to be necessary that consultations continue on how to strengthen the functioning of this important body. The Office proposes that consultations on this matter be undertaken so that at least some desired improvements can be identified and, if possible, applied as of the next session of the International Labour Conference.

Putting in place an effective communications strategy on international labour standards

16. How the ILO delivers and communicates standards information is crucial to ensuring the visibility of international labour standards. In order to enhance this component, the Office is proposing to identify and develop a number of tools that would enable it to reach the broadest public, in addition to the ILO's tripartite constituents. The target audience should, in a more systematic way, include parliamentarians, judges, law schools and other

the Conference in 2007. The question of the revision of three Conventions on *night work of children and young persons* is among the issues proposed for discussion in the context of the proposed general discussion based on an integrated approach on child labour and the protection of young workers for the agenda of the Conference in 2007. As regards *ports*, the revision of one Convention could be considered in the context of a proposed integrated approach to work in ports. As concerns *working time* instruments a revision of the Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153), is to be examined at a later date. In addition a possible need to revise Conventions Nos. 1 and 30 was considered in the context of the discussion on the General Survey on Working Time in 2005. At its present session, the LILS Committee is also to consider a proposal to hold a meeting of experts, possibly followed by a general discussion, to give further consideration to the question of working time (GB.294/LILS/7/1).

⁸ See document GB.292/10(Rev.), section VII.

educational establishments. It would also be necessary to appropriately package the tools for the different audiences in order to provide a better understanding of the standards. The Office would also work to make more easily available and accessible a wide range of information currently generated by the supervisory procedures, including labour legislation, labour court decisions, statistics, and other relevant data on the application of international labour standards. Finally, the development of information tools could have a significant impact on lightening the administrative burden of reporting and focusing supervisory comments on the application of standards.

Integrating standards and technical cooperation and assistance

17. If the ILO is to increase its impact on social policy in the world, while relying on international labour standards to improve conditions of work, it needs to strengthen the application of these standards with technical cooperation and assistance. This cooperation is important not only to assist countries in ratifying ILO Conventions, but also to help them overcome the difficulties they might face in applying Conventions that they have ratified and in improving the implementation and application of international labour standards in their countries, as well as in promoting a broader culture of compliance with labour standards.
18. An effective programme of advice, assistance and capacity building is needed for standards to support development objectives. There needs to be a deeper integration of standards and information from the supervisory system into technical assistance and cooperation and vice versa. Such a programme would therefore not only be directed at assisting countries in how to implement the standards set out in the Conventions and Recommendations. It would be directed at assisting countries that have not ratified the Conventions or given effect to the Recommendations in question and to enable them to be in a position where they can ratify. A planned step-by-step approach would begin with the identification of national priorities, the embodiment in national law of as much as possible of the essence of the standards concerned, progressing through their full implementation and leading to ratification of the Convention concerned.
19. The Office would discuss with countries that have neither ratified the Conventions nor given effect to the Recommendations: (a) the current relevant law and practice; (b) how far they can go now in implementing the standards; (c) labour law advice and reform, where necessary; (d) the establishment of the next steps towards implementation and ratification, through the adoption of policies including a timetable; and (e) arrangements to ratify. If similar advice is given to several countries, it would be possible to conceive of a means of making such advice more broadly available.
20. It would also be very important to strengthen relationships and technical cooperation with other international agencies to make international labour standards a more effective part of development at national and international levels.
21. Training and capacity building are also important means of promoting international labour standards. This is necessary for the national tripartite constituents but also for those involved in monitoring and enforcing national labour laws, namely labour inspectors and judges. The work being undertaken by the Turin Centre in collaboration with the Standards Department needs to be actively pursued. It should cover the training of judges and parliamentarians in all regions.

22. In implementation of an integrated and comprehensive strategy of the kind suggested above, the following actions might be taken with a view to enhancing the impact and visibility of international labour standards:

- (a) The promotion of other up-to-date ILO standards in addition to the fundamental ILO Conventions. The priority Conventions, Nos. 81, 129 and 122, could complement the promotional campaign already launched for Convention No. 144.
- (b) Consideration as to which of the existing standards could appropriately be consolidated and streamlined.
- (c) Consultations with a view to preparing the ground for new standards that add value to the existing body of standards.
- (d) Consultations with a view to streamlining both the work of countries reporting under article 22 of the Constitution and the action of the ILO supervisory bodies and thus to maintaining an effective and efficient international supervisory system.
- (e) Establishing and carrying out an effective programme of advice, assistance and capacity building.
- (f) Pursuing an effective communications strategy for international labour standards.
- (g) Strengthening relationships and technical cooperation with other international agencies to make standards a more effective part of development strategy at both national and international levels.
- (h) Establishing cooperation between the Office and other partners for implementing the strategy.

23. *The Committee on Legal Issues and International Labour Standards may wish to:*

- (a) take note of the elements contained in this document in particular as regards the proposals contained in paragraph 22;*
- (b) provide the Office with guidance with a view to the submission to a future session of the Governing Body of a further document on the issues that it may wish to identify;*
- (c) invite the Office to carry out consultations with the tripartite constituents on these issues; and*
- (d) make appropriate recommendations to the Governing Body concerning the above.*

Geneva, 24 October 2005.

Point for decision: Paragraph 23.

Appendix

Information on standards-related technical cooperation and assistance activities

1. The following information is not exhaustive but endeavours to give examples of the different types of existing standards-related technical cooperation and assistance activities that were conducted during this biennium in the framework of the four strategic objectives and the mainstreamed strategy of gender equality.

Standards and fundamental principles and rights at work

Fundamental principles and rights at work

2. The ILO's most important efforts are certainly those devoted to the *fundamental principles and rights at work*. It will be recalled that the promotional strategy in this area was launched with a campaign to ratify the fundamental Conventions in 1995, which was followed by the adoption of the 1998 Declaration. The follow-up to the latter instrument is based on a plan of action adopted each year by the Governing Body for one of the four categories of fundamental principles. This plan of action defines priorities for the subsequent period. It is implemented in close collaboration between headquarters and the field. With respect to child labour in particular, the Time-Bound Programme (TBP) on the Worst Forms of Child Labour is one of the means put in place by IPEC to assist countries in preventing and eliminating the worst forms of child labour. TBPs allow governments to chart a course of action with well-defined targets. They comprise a set of integrated and coordinated policies and interventions with clear goals, specific targets and a defined time frame. At headquarters, apart from the Standards and Fundamental Principles and Rights at Work Sector, which has the main responsibility in this area, all the sectors contribute to promoting the standards concerned. Mobilization in the field is just as important, and all the field offices make this issue a priority.

Follow-up to the comments of the supervisory bodies

3. In the field, many standards specialists concentrate their activities on assisting member States in the fulfilment of their constitutional obligations with respect to reporting and the submission of instruments to the competent authorities. To give effect to the conclusions of the Conference Committee, specific follow-up letters have been sent out this year by NORMES to member States that had failed to comply with their reporting and other standards-related obligations. They request member States to identify difficulties and encourage them to examine the option of technical assistance to overcome these difficulties. In the SRO-Port-of-Spain, a strategy has been put in place to incite countries to realize the importance of report writing for their own benefit and to integrate report writing into national policy and planning. Recent missions have also been undertaken by the respective subregional offices to Cape Verde, Senegal and Haiti to provide assistance with reporting obligations and the submission of ILO instruments to the competent authorities. NORMES, together with the SRO-New Delhi and the ILO Senior Coordinator in Kabul, undertook a technical assistance mission to Afghanistan to promote social dialogue and raise awareness of the importance of international labour standards. As a result, a report was submitted to the ILO by the tripartite constituents, and the Government delegation participated in the Conference Committee for the first time in eight years.

4. Activities have also been carried out to assist member States in applying ratified Conventions in response to comments made by the supervisory bodies. For example, in 2004, Barbados launched the Committee on Tripartite Consultation to improve the application of Convention No. 144. After the new mechanism was established, the SRO-Port-of-Spain, with the support of NORMES and DIALOGUE, conducted a training workshop for the members of the new Committee and relevant government agencies, and developed materials and a practical guide on standards and the consultative mechanism. The Subregional Offices in Brazil and in Santiago undertook a number of technical assistance activities in relation to the application of the fundamental Conventions, particularly in the field of forced labour, addressing issues raised by the CEACR. Following comments made by the CEACR, the SRO-Santiago developed a comprehensive technical assistance plan to help bring about the better application of the Minimum Wage Fixing Convention, 1970 (No. 131) and to assist *Uruguay* to reactivate its machinery for the fixing of minimum wages. This resulted in the reactivation of the Wage Councils. In *Cape Verde* and *Guinea*, the SRO-Dakar provided technical assistance in the adoption of a new Labour Code, taking into account the comments of the CEACR. In *Indonesia*, NORMES assisted the Government to draft government guidelines on equal employment opportunities to be used to underpin the implementation of the 2003 Manpower Act.

Promotion, pre-ratification technical assistance and training

5. Numerous promotional activities, including training, are undertaken to raise awareness of the existence and content of international labour standards. Pre-ratification technical assistance is also provided in the form of advisory services. For example, an advisory mission focusing on freedom of association visited Mauritius (February 2005), providing assistance for the preparation of future legislation and resulted in the ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Although the main areas of promotion continue to be the fundamental Conventions and Convention No. 144, other areas are also promoted. The Project to Promote ILO Policy on Indigenous and Tribal Peoples (PRO 169) implements a wide range of promotional activities. Projects are ongoing in *Kenya*, *Morocco* and *Nepal* and others have been initiated in *Cambodia* and *Cameroon*. Training activities were conducted to improve staff capacity to promote the principles of Convention No. 169 and for donors in order to strengthen the practical application of existing policies through development cooperation. The National Plan of Action for Decent Work was reviewed and updated in the *Philippines* with the assistance of the SRO-Manila. As a result, an overall framework of action for ratification of Conventions was adopted at a tripartite conference and 17 ILO Conventions were identified as priorities for ratification.¹ The SRO-Budapest conducted a series of evaluations of the labour inspection and occupational safety and health (OSH) services in the region resulting in ratification of OSH Conventions in *Albania* and *Poland*.
6. At the end of 2005, the training programme on standards of the Turin Centre will have organized around 40 training activities. Over 15 activities focusing on freedom of association are organized each year in the framework of the Freedom of Association Programme, created in 2001. Another important programme on child labour and forced labour was launched in September 2005. Training activities for judges, lawyers and law professors are organized in conjunction with national institutions and regional offices and with the participation of DIALOGUE and NORMES. Collaboration with the judiciary institutes of *Morocco*, *Madagascar* and *Senegal* continue, while new collaboration initiatives started with the *Albania* School of Magistrates, the *Tribunal Superior do Trabalho do Brasil* and the University of Buenos Aires. In 2005, the yearly regional

¹ Conventions Nos. 29 (ratified in 2005), 81, 97, 102, 129, 143, 150, 155 and its Protocol, 156, 169, 171, 177, 181, 183, 184 and 185.

programme for labour court judges of the Americas was held in Lima. In *Bosnia and Herzegovina, Bulgaria and Romania*, a series of seminars on international labour standards had been conducted by the SRO-Budapest targeting trade union delegates, labour judges and labour inspectors providing information on ILO special procedures for freedom of association and equality. In addition, each year, the Turin Centre organizes a Training Programme on International Labour Standards for delegates before each International Labour Conference.

Dissemination of information

7. The Department continues to develop its information system on international labour standards, including the APPLIS, ILOLEX, LIBSYND and NATLEX databases. In June 2005, a new web site² was launched providing an overview of the international labour standards system. NATLEX has become one of the most widely used ILO information products, registering over 1 million database searches from users outside the Office in September 2005 alone. NATLEX contributes to technical cooperation by providing updated information on national labour law and allowing countries to have access to examples of how other member States have formulated legislation on different aspects of labour. A country profiles database that brings together all information related to international labour standards by country is in development. The last publications include the 2005 version of the Freedom of Association and Collective Bargaining Electronic Library, and a promotional booklet *Rules of the game: A brief introduction to international labour standards* that was released with the 2005 edition of the International Labour Standards E-library (ILSE) CD-ROM.

Employment

8. In the *Employment Sector*, policy and advisory work on employment is carried out in the framework of the Global Employment Agenda (GEA). The GEA, endorsed by the Governing Body in 2003, states that it “does not promote just any employment, but decent employment in which international labour standards and workers’ fundamental rights go hand in hand with job creation”. In addition to the core Conventions, special emphasis is placed on the Employment Policy Convention, 1964 (No. 122) and a number of other relevant instruments, including the Human Resources Development Convention, 1975 (No. 142), the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Private Employment Agencies Convention, 1997 (No. 181), the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189) as well as the Promotion of Cooperatives Recommendation, 2002 (No. 193). One of the activities undertaken in the framework of the GEA is the Country Reviews of Employment Policies (CREPs)³ being carried out jointly with EUROPE, SRO-Budapest, DECLARATION and the Council of Europe. The Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, promoted by this sector, also relies on a selected number of Conventions and Recommendations for its application. International labour standards are also promoted as tools of good managerial practices in the Job Creation and Enterprise Development Programme.

² www.ilo.org/normes .

³ The project focuses on various labour market policies and institutions to promote decent work and aims at reducing gender inequalities in employment, unemployment, pay and quality of jobs. This is achieved through enhancing the understanding of the value and implications of gender mainstreaming, and the capacity of concerned government authorities and social partners to design and implement CREP in adherence with the ILO’s Global Employment Agenda and Conventions Nos. 100 and 111.

9. At its 93rd Session (2005), following a general discussion based on an integrated approach on youth employment, the International Labour Conference adopted conclusions and a plan of action aimed at promoting pathways to decent work for youth.⁴ The conclusions recall in particular that the principles of the Employment Policy Convention, 1964 (No. 122) are fundamental to any employment policy directed at young people and that training policies and active labour market policies and programmes based on relevant international labour standards can greatly help young people to find decent work. The plan of action is based on three pillars: building knowledge; advocacy; and technical assistance with particular focus placed on developing countries.

Social protection

10. The *Social Protection* Sector covers a wide range of subjects including conditions of work, occupational safety and health (OSH), labour inspection, migration, social security and HIV/AIDS. In each of these subject areas, standards-related activities rely on a large number of relevant instruments.⁵ In the framework of activities concerning the code of practice on HIV/AIDS and the world of work, 17 instruments are promoted.⁶ In Central and Eastern European countries, the Department of Social Security (SOCSEC), in close cooperation with NORMES, SRO-Budapest and the Council of Europe, has established country-by-country programmes. Countries prepare “zero reports”, which are used to assess the compatibility of the national system with the requirements in Convention No. 102 as well as the European Code of Social Security.⁷
11. A general discussion based on an integrated approach was held on OSH at the 91st Session (2003) of the International Labour Conference. The resulting conclusions outline a Global Strategy for Occupational Safety and Health and call for a closer integration of ILO standards with other means of action including technical cooperation in order to maximize impact.⁸ The key elements of the OSH strategy include the adoption of a coherent and integrated national approach to OSH reflected in a national OSH programme and functional systems and institutions, and their progressive development in close consultation with employers and workers in all regions. Technical cooperation provided by SafeWork continues to assist member States with respect to reform of OSH legislation⁹ in

⁴ *Provisional Record* No. 20, ILC, 93rd Session, Geneva, 2005.

⁵ For example, the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Maternity Protection Convention, 2000 (No. 183), the Income Security Recommendation, 1944 (No. 67), the Occupational Safety and Health Convention, 1981 (No. 155), the Labour Inspection Convention, 1947 (No. 81), the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

⁶ Conventions Nos. 81, 97, 98, 102, 111, 121, 129, 143, 149, 154, 155, 158, 159, 161 and 175, as well as Recommendations Nos. 164 and 171.

⁷ The comments concerning the reports are sent to the respective countries and subsequently seminars, which include a presentation on the Office comments, are organized by the Council of Europe in collaboration with the ILO. The zero reports are being updated as the legislation in the country changes. Currently *Albania, Armenia, Lithuania, Moldova* and *Romania* are working towards ratification of Convention No. 102.

⁸ *Provisional Record* No. 22, ILC, 91st Session, Geneva, 2003. As a follow-up to the conclusions, a second discussion will be held at the 2006 ILC on the adoption of a promotional framework for OSH.

⁹ Tangible results have been registered in 33 countries.

accordance with the main OSH standards, modernization of labour inspectorates,¹⁰ and assistance related to training and dissemination of information. In addition, SAFEWORK has, over the past five years, initiated the development of national profiles for OSH in tripartite consultation and the establishment and implementation of national OSH systems and programmes. To date, profiles have been developed in 18 countries¹¹ and another 11 are in progress.¹² Although the effect of this approach only can be measured over the longer term, the experience so far has been very positive.¹³

12. A plan of action was also adopted by the International Labour Conference in the area of migrant workers following the same type of discussion in 2004. Key elements of this plan of action include the development of a non-binding multilateral framework for a rights-based approach to labour migration which takes account of labour market needs, and which proposes guidelines and principles for policies based on best practices and international standards;¹⁴ identification of relevant action to be taken for a wider application of international labour standards and other relevant instruments; capacity building, awareness raising and technical assistance.¹⁵

Social dialogue

13. The *Social Dialogue* Sector carries out activities in the areas of social dialogue, labour law, labour administration and sectoral activities. The Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV) provide support respectively for employers' and workers' organizations to participate in standards-related activities and in the supervisory body procedures. They also promote standards through their publications, seminars, and technical cooperation activities. They assist the Office in maintaining and developing a close relationship with the social partners. The respective field specialists maintained by both bureaux play an important role in this endeavour.
14. A specific ratification campaign was launched in 2002 for the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) resulting in a number of ratifications.¹⁶ Promotional material has been prepared by NORMES, DIALOGUE, ACTRAV and ACT/EMP. Numerous projects are carried out in the field for the promotion

¹⁰ Projects in for example Viet Nam, Bulgaria, the MATAC (*Modernización de las Administraciones de Trabajo de América Central*), followed up by FOALCO (*Fortalecimiento de la Administración Laboral de Costa Rica*), and proposed ratification by Luxembourg of 21 OSH Conventions following a tripartite ILO labour inspection audit funded by Luxembourg.

¹¹ Azerbaijan, Benin, China, Egypt, Georgia, Guatemala, Iraq, Kenya, Kuwait, Kazakhstan, Kyrgyzstan, Mexico, Mongolia, Pakistan, Uganda, United Republic of Tanzania, Uzbekistan and Yemen.

¹² Algeria, Costa Rica, Croatia, Georgia, Malaysia, Mozambique, Nicaragua, Panama, Seychelles, Tajikistan, Viet Nam.

¹³ In China for example the national profile published in 2004 has been an important element in the ongoing discussion concerning a possible ratification of the Occupational Safety and Health Convention, 1981 (No. 155).

¹⁴ The non-binding multilateral framework on labour migration is to be discussed in a tripartite meeting of experts (31 Oct.-2 Nov. 2005).

¹⁵ *Provisional Record* No. 22, ILC, 92nd Session, Geneva, 2004.

¹⁶ Since 2002 the following 12 countries have ratified Convention No. 144: Antigua and Barbuda, Armenia, Djibouti, Dominica, Japan, Jordan, Liberia, Malaysia, Peru, Senegal, Serbia and Montenegro and South Africa.

of this Convention, for instance the national and regional seminars held in cooperation with the Subregional Office in Cairo in the Libyan Arab Jamahiriya, Morocco, Sudan and Tunisia. Further promotional activities were also recently carried out in Senegal, in collaboration with the Subregional Office in Dakar, for the ratification of the Collective Bargaining Convention, 1981 (No. 154).¹⁷ In addition to these two instruments, the relevant core Conventions as well as the Labour Relations (Public Service) Convention, 1978 (No. 151) and the Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113) provided the background for technical cooperation activities in the area of collective bargaining and tripartite institutions. Additional instruments provide the basis for assistance regarding dispute settlement and labour relations.¹⁸ In the field of labour administration, activities have focused on the application of the Labour Administration Convention, 1978 (No. 150) and its Recommendation (No. 158) resulting in six ratifications this biennium.¹⁹ In the maritime sector, a steady increase in ratifications between 2000 and 2005 suggested that the maritime instruments and the “Decent Work in the Maritime Industry” initiative had raised awareness and reawakened interest in improving working and living conditions in the shipping industry. In particular, emphasis has been placed on the promotion and application of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147) and the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185).

Labour law

15. With respect to labour law, when commenting on a draft law or shepherding through an entire labour law reform, the Office takes into account, inter alia, ratified Conventions, comments of the supervisory bodies as well as the core Conventions. During this biennium, technical advice from the Office led to the adoption of new labour laws or amendments to existing laws in a number of countries including *Armenia* (Labour Code 2004), *Botswana* (Trade Unions and Employers’ Organizations (Amendment) Act and Trade Disputes Act, 2004), *Ecuador* (National Labour Council Decree No. 1779 of 2004), *Ghana* (Human Trafficking Act 2005 and Labour Act 2004), *Namibia* (Labour Act 2004), *Romania* (Emergency Ordinance No. 65/2005 amending Law No. 53/2003 regarding the Labour Code), *Swaziland* (Industrial Relations (Amendment) Act 2004), the *United Republic of Tanzania* (Employment and Labour Relations Act No. 6 of 2004 and Labour Institutions Act No. 7 of 2004), and *Zanzibar* (Acts on employment, industrial relations, occupational safety and health, social security fund, disability and workers’ injury (Amendment)). The Office also provided comments on a number of draft laws and reforms of existing laws in the case of *Afghanistan*, *Angola*, *Cambodia*, *China*, *Fiji*, *Iraq*, *Kazakhstan*, *Kenya*, *Lesotho*, *Macedonia*, *Malawi*, *Mauritius*, *Nigeria*, *Peru*, *Russian Federation*, *Slovakia*, *Swaziland*, *Democratic Republic of Timor-Leste*, *Ukraine*, *Bolivarian Republic of Venezuela* and *Zimbabwe*.

¹⁷ This resulted in all participating countries committing to the ratification of the Convention (*Benin*, *Lesotho*, *Namibia* and *Senegal*).

¹⁸ These include the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92), the Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94), the Communications within the Undertaking Recommendation, 1967 (No. 129) and the Examination of Grievances Recommendation, 1967 (No. 130).

¹⁹ Argentina, Armenia, Dominica, Lebanon, Mauritius and Ukraine.

Gender equality

16. Concerning *gender*-related issues, in addition to Conventions Nos. 100 and 111, the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Maternity Protection Convention, 2000 (No. 183) are relied on in standards-related activities. The Gender Equality Partnership Fund (GEPF), coordinated by the Gender Bureau since 2003, supported the implementation of the gender equality objective by undertaking activities to increase constituents' awareness and capacity to promote and apply the above four equality Conventions. For example, in close cooperation with the Subregional Office in New Delhi and EMP/STRAT, a national conference on Promoting Women's Employment, Empowerment and Equality was organized in the *Islamic Republic of Iran* in March 2004. This resulted in the adoption of recommendations to guide national policy with respect to gender equality and employment promotion. In *Rwanda*, the GEPF supported the Government in the implementation of Conventions Nos. 100 and 111. A regional GEPF project in Latin America covering *Argentina, Chile, Paraguay* and *Uruguay*, undertaken in collaboration with the Subregional Office in Santiago, contributed to mainstreaming gender in the decent work programmes.