



INTERNATIONAL LABOUR OFFICE

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Governing Body

Geneva, November 2005

Minutes of the 294th Session

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The 294th Session of the Governing Body of the International Labour Office was held in Geneva, from Tuesday, 15 to Thursday, 17 November 2005, under the chairmanship of Mr. Carlos A. Tomada (Argentina).

The list of persons who attended the session of the Governing Body is appended.

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**MINUTES OF THE 294TH SESSION
OF THE GOVERNING BODY OF THE
INTERNATIONAL LABOUR OFFICE**

Geneva, Tuesday, 15 to Thursday, 17 November 2005

1. *The Chairperson* paid tribute to all the victims of the natural disasters that had occurred in the past months in certain regions of the world, in particular, America and southern Asia, causing tens of thousands of deaths and destroying over a million jobs. He called for a minute's silence as a sign of respect for all those killed or affected by this exceptional series of natural catastrophes.

(The Governing Body observed a minute's silence.)

First item on the agenda

APPROVAL OF THE MINUTES OF THE 293RD SESSION
OF THE GOVERNING BODY
(GB.294/1)

2. The Office received a correction to the English version. In paragraph 74 of the English text, after "*Regarding Case No. 2268*" the words "*on Myanmar*" should be added.
3. *The Employer Vice-Chairperson* endorsed the text of the *Minutes*, and submitted some amendments to paragraphs 84 and 87, in respect of his own interventions.

Governing Body decision:

4. *The Governing Body approved the minutes of its 293rd Session, as amended.* (GB.294/1, paragraph 3.)

Second item on the agenda

DATE, PLACE AND AGENDA OF THE INTERNATIONAL LABOUR CONFERENCE

(a) Agenda of the 96th Session (2007) of the International Labour Conference
(GB.294/2/1 and GB.294/2/1(Add.))

5. *The Chairperson* briefly noted that, according to the established practice, the Conference, in addition to the regular agenda items, discussed three technical items in one same session. At the 93rd Session, the Conference adopted a motion requesting the Governing Body to add an item on the fishing sector to the agenda of the 2007 session of the International Labour Conference (ILC). Consequently, there were two remaining items for the Governing Body to select from the following six questions:
 - (i) strengthening the ILO's capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century (as described in the addendum to GB.294/2/1);
 - (ii) child labour and the protection of young workers;

- (iii) promotion of sustainable enterprises;
- (iv) skills for improved productivity, economic growth and development;
- (v) employment and social protection in the new demographic context; and
- (vi) gender equality in the world of work: successful practices in meeting the challenges of promoting equal opportunity in employment.

6. *The Worker Vice-Chairperson* supported the item on work in the fishing sector and hoped that it would be possible to achieve agreement in 2007, provided the required preparatory work could be completed. Regarding the technical items, the Conference was not restrained by either practice or statutes on the number of items that it could discuss. The world of work was dynamic and the standards which governed it had to be regularly examined as things evolved. They had to be revised in order to guarantee that the workers of the whole world benefited from the wealth created by an increasingly globalized economy. However, the items proposed by the Office were for general discussion. For the ILO to be a dynamic, productive organization, attentive to the needs of the social partners and governments, it must be more receptive to technical items and stop postponing discussions. If a fourth item had to be selected, the Workers would ask for the revision of a standard, which would take less time than the creation of a new instrument.
7. Regarding the choice of items for the 2007 ILC agenda, the Workers supported item (i) on strengthening the ILO's capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century. They also believed that discussion of the item on gender equality in the world of work was required and that the issue should be addressed in a wider fashion than proposed in the document. The Workers supported point (vi).
8. *The Employer Vice-Chairperson* explained that his group was opposed to any increase in the number of items for discussion, as many countries did not have the human resources required to take part in all the discussions. He pointed out that the Employers were very insistent on standards which had to be applicable and applied, and that they sought to avoid gaps between standards and reality. The items selected for the Conference discussions must be adapted to the realities of today's world; the credibility and viability of the Organization were at stake.
9. The various items proposed by the Office had given rise to interesting discussions in the Employers' group, which had come to the following conclusions: the item on child labour and protection of young workers was highly relevant, but had already been included in the Global Report to be submitted to the 2006 Conference. Therefore, this item could be left aside for the time being. The promotion of sustainable enterprises conditioned the creation of decent and sustainable jobs, and the Employers' group regarded this item as a priority. The item on skills for improved productivity, economic growth and development was very interesting in view of the current state of the world where innovation and technology played such a leading role, and a general discussion on this item could be worthwhile, but the Employers were opposed to all links to Recommendation No. 195 (2004) on the development of resources. The other items relating respectively to employment and social protection in the new demographic context and gender equality in the world of work deserved discussion but had not been given the same level of support as items (ii) and (iii) which the Employers favoured.
10. Finally, the issue of strengthening the ILO's capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century could make for an interesting discussion. The Employers had already taken part in informal discussions but

were of the opinion that the item had to be defined more precisely in order to focus the discussion and set the goals. They requested the Office to prepare a document responding to their concerns for the March 2006 Governing Body session.

11. *A Government representative of South Africa* supported items (i) and (vi). The first item was important as many of the problems which countries, especially developing countries, faced, were interdependent and required a coordinated approach. This was the aim of the concept of decent work and strategic objectives. As to the second item, the speaker recalled that the ILO had done much work on the issue of gender equality, but it should now look at what had been achieved on the ground.
12. *A Government representative of Brazil* supported item (v) as the ILO needed to look at the problems caused by ageing of the population, and item (i) which was a continuation of the discussions on a fair globalization. Brazil was ready to take part in all consultations on the document that the Office would prepare if the item were accepted.
13. *A Government representative of the Netherlands* supported the organization of tripartite consultations before the discussion on the fishing sector in 2007. Regarding standards of a more general nature, he requested a study of the current strategy for consolidation and rationalization of current standards, in the light of experience with the proposed maritime Convention and the Maritime Conference in February.
14. The Netherlands was in favour of a discussion on item (i), in order to enhance the leading role placed by the Organization to respond to the social dimension of globalization. The Conference discussion should be based on the work of the Working Party on the Social Dimension of Globalization as well as on the report of the World Commission in order to provide an authoritative document. He was in favour of the drafting of an instrument on decent work for a fair globalization and ready to address the content of discussion at the March session. Finally, he noted that item (vi) should be retained.
15. *A Government representative of Australia*, also speaking on behalf of the Government of New Zealand, was in favour of items (iv) and (v). The discussion could provide useful directions for member States in developing national policies in these fields.
16. *A Government representative of Japan*, referring to globalization and the development of the ILO and the United Nations system since the end of the Second World War, stressed that the Organization needed new methods to carry out its policies in a changing environment and Japan therefore hoped that the Conference would discuss item (i). Discussions should also address strengthening the capacities of the social partners, the building of a network with NGOs and cooperation with other international organizations.
17. *A Government representative of India* recalled that his country believed that priority should be given to the revision of existing instruments, before elaborating new standards and moving into new fields. The agenda of the 2007 Conference should therefore include items (i) and (iv).
18. *A Government representative of France* stressed that the ILO was at an historic moment in its development and that a tripartite stance was called for to face the new challenges before the Organization. France therefore favoured the inclusion on the 2007 agenda of the item concerning strengthening the ILO's capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century. In respect of the second point, the Government felt that gender equality in the world of work required decisive action and thus should also be considered by the Conference.

19. *A representative of the Government of China* highlighted the importance of employment for his country. He considered the six items presented in the document to be equally important and proposed that the 2007 Conference agenda should include items (iv) and (v), and that the other items should be entered on the 2008 Conference agenda.
20. *A representative of the Government of the United States* congratulated the Office on having presented more concrete proposals; he was in favour of items (iv) and (v), which concerned serious problems and which would allow an exchange of views and of experiences. Globalization posed new challenges, and skills for improved productivity were important elements for the prosperity of workers, enterprises and economies. As regards the other items proposed, the Office already had a mandate in respect of gender equality; the item on sustainable enterprises was interesting, but too vaguely worded; in respect of child labour, the United States had always supported the work of the Office, but believed that it was now time to undertake an external evaluation of the impact of the IPEC programme to ascertain current needs. Finally, the best way to strengthen the ILO's capacity to assist its Members' efforts towards its objectives in the context of globalization (item (i)), was to foster the activities presented in items (iv) and (v).
21. *A Government representative of Canada* expressed satisfaction that consultations were to be organized prior to the discussion on the fishing sector. For the Conference agenda, he favoured items (v), (iii) and (vi); he did not support item (i) regarding the strengthening of the ILO's capacity and requested clarification from the Office on the scope of the proposed discussion.
22. *A Government representative of Argentina* was in favour of a debate on item (i); the discussion, in the form of an exchange of ideas on improving ILO means of intervention, should yield conclusions allowing the Organization to make better use of its resources, so as to respond more efficiently to the needs of member States. The second point to be included on the agenda should be item (iv); the improvement of skills and their closer alignment with the new realities of globalization played a key role in employment growth and development. Countries with the highest rate of development were those that had been able to link training policies with investment in industry.
23. *A Government representative of Cuba* said that all the subjects proposed merited inclusion on the Conference agenda; however, given the need for selection, she particularly favoured item (v); debate on this question could also include important aspects of the questions concerning gender equality and young workers. Item (i) could be taken for general discussion, but a document clarifying the manner in which the question should be approached should be made available to the Governing Body at its March 2006 session.
24. *A Government representative of Mexico* gave her Government's preferences as item (iii), since the promotion of sustainable enterprises could, with ILO technical cooperation, help to increase and conserve employment in the developing countries, and also item (iv).
25. *A Government representative of Poland* supported the inclusion of item (iii), the promotion of sustainable enterprises, a discussion which fitted perfectly into the debate on globalization and decent work which had been held for several years. He also supported item (v) as, in certain countries, an ageing population posed a serious threat to the labour market and to social protection systems. If the item regarding strengthening of the ILO's capacity was included on the agenda, the Office should ensure that the discussion did not uselessly repeat earlier debates; the aim should be to arrive at practical suggestions for action by the ILO and its member States.
26. *A Government representative of the United Kingdom* explained that his Government had already indicated its preference for items (iii), promotion of sustainable enterprises, and

(v), employment and social protection in the new demographic context, especially in view of the fact that 2007 would be the fifth anniversary of the Madrid International Plan of Action on Ageing. He also approved the proposal concerning strengthening ILO capacity to carry out its core missions, but felt that further clarification on this point was necessary. If the purpose of the debate was to set up a new mechanism for establishing national reports on the respect of all ILO standards other than those covered by the Global Report, the United Kingdom would have a number of reservations; if it was to make the Organization more coherent, and to equip it with a more robust framework for priority setting, then the Government might be able to support an ILC general discussion on this question.

27. *A Government representative of the Republic of Korea* supported the item concerning strengthening the ILO's capacity to discharge its core missions. However, certain clarifications were needed in particular on the form and purpose of the authoritative document that was proposed and on the follow-up measures, which should be non-binding and not burdensome to member States.
28. *A Government representative of Finland* supported items (i), (iii) and (vi), in that order of priority. In respect of item (i), the speaker supported the approach given in the document and the choice of a general discussion. Nevertheless, the basis of this discussion should be better defined; the speaker supported the approach on three levels, as set out in the document, but felt that more information was needed regarding the proposed common frame of reference.
29. *A Government representative of El Salvador* felt that all six items presented deserved debate. As two had to be selected, he supported items (iii) and (iv), which were complementary and were part of the struggle to eliminate poverty through creating jobs.
30. *A Government representative of Cameroon* welcomed the inclusion of an item concerning work in the fishing sector; as regards the other two items, his Government wished that the Conference should discuss item (ii), as Cameroon was following the problem of child labour very closely, and item (v). However, on the latter question, he felt that a wide debate on social protection should be held, not limited simply to the angle of the "ageing population".
31. *A Government representative of Pakistan* supported items (iv) and (vi); he asked the Office to prepare a more detailed document on the question of strengthening the ILO's capacity to discharge its core missions for the March 2006 session of the Governing Body.
32. *A Government representative of the Islamic Republic of Iran* supported the item on work in the fishing sector for standard setting. His Government gave priority to item (i) on strengthening the ILO's capacity to discharge its core missions, and to item (iv), skills for improved productivity, employment growth and development.
33. *A Government representative of Nigeria* stressed the importance of choosing questions of current interest if the Organization was to answer the needs of constituents. To enable the ILO to fulfil its mandate, in the face of increasing demands from member States, its capacity had to be strengthened. A discussion on item (i) would provide a new opportunity to promote decent work. He also supported the inclusion of item (iii), on the promotion of sustainable enterprises, which would help developing countries counter poverty.
34. *A Government representative of Malawi* gave priority to item (iii), since sustainable enterprises participated in the creation of the wealth indispensable to development. He also favoured the inclusion of item (iv), skills for improved productivity, employment growth and development, as a trained workforce was a major advantage to a country.

35. A *Government representative of Germany* supported item (i), and endorsed the arguments put forward in its favour. He supported item (iii), promotion of sustainable enterprises, as well, as enterprises were key elements of the economy. Moreover, to a certain extent, this item covered the principal points of the three following items: skills for improved productivity, social protection and gender equality were all linked to the enterprise. The speaker invited the Organization to follow closely all efforts made throughout the world, outside the ILO, to elaborate social standards.
36. A *Government representative of the Czech Republic* called for the inclusion of item (iii), the promotion of sustainable enterprises, on the grounds that a discussion on this question would advance implementation of the Decent Work Agenda, and of item (v).
37. A *Government representative of Romania* pointed out that the elimination of child labour was one of the core objectives of the ILO, one of the four pillars of the Declaration on Fundamental Principles and Rights at Work, and that the discussion of this question by the Conference would allow stock to be taken of the situation, review of the programmes and encourage the adoption of an integrated approach. He therefore supported inclusion of this item on the 2007 agenda, along with item (iii) concerning the promotion of sustainable enterprises.
38. A *Government representative of the Russian Federation* was in favour of the inclusion of item (i) and of item (v), employment and social protection in the new demographic context.
39. A *Government representative of Barbados* supported item (i). It was the case that, without sufficient preparation and adequate capacity, globalization represented a threat to the economic viability and sustainability of numerous countries, particularly developing countries. The other proposed questions were all important but as the choice was limited to two, his Government placed item (iv) next in priority.
40. *The Employer Vice-Chairperson* expressed satisfaction at the quality of the debate, which had not only covered the 2007 Conference agenda, but also the Organization's priorities. The discussions between the groups had made it possible to arrive at a consensus solution in respect of the agenda for the 96th Session of the ILC. Thus, the first item would be the strengthening of the ILO's capacity to assist its Members' efforts towards its objectives in the context of globalization. However, this inclusion was conditional on three things: firstly, the Office should prepare a document for the March session of the Governing Body, which would answer the various calls for clarification made during the discussion; secondly, the item was to be treated under the general discussion procedure; and, thirdly, so that the question should be dealt with, with the attention it deserved, it was essential that mechanisms be put in place that would guarantee the participation of the three groups in the preparatory work. In respect of the second item for inclusion, the Employers were ready to support the promotion of sustainable enterprises.
41. *The Worker Vice-Chairperson* also highlighted the rich discussions that had been held. All the proposals were judged important and it was very difficult to choose between them. It was unfortunate that a choice of two had to be made. The Workers regretted that the item on gender equality had not been retained. The group associated itself with those speakers who had called for a strengthening of the Organization and supported the consensus solution. Regarding the item on the promotion of sustainable enterprises, the Workers stressed that they were very much attached to the notion of workplace, and that this point should be taken up in the discussion. In respect of the question concerning the strengthening of the ILO's capacity, the speaker looked forward to the Office document in March, and was pleased that there was a desire that the preparation of the document should be carried out in a truly tripartite process.

42. *The representative of the Director-General*, summarizing the debates, explained that there was clearly sufficient support for item (i) to be included on the Conference agenda, subject to the establishment of a process of tripartite consultation and to the Office preparing a document for the March 2006 session of the Governing Body, which answered the questions raised, especially as concerned the terms of reference of the debate and the preparation of the general discussion. In respect of the second item, the questions concerning sustainable enterprises, skills, and employment and social protection in the new demographic context had all received similar support with a wide geographical spread; however, given the consensus solution proposed by the social partners, the question concerning the promotion of sustainable enterprises would be included on the 2007 Conference agenda.

Governing Body decision:

43. *The Governing Body decided, in addition to the standing items before the Conference, to include the following items on the agenda of the 96th Session of the International Labour Conference (2007):*

- (i) *work in the fishing sector (with a view to the adoption of a Convention supplemented by a Recommendation);*
- (ii) *strengthening the ILO's capacity to assist its Members towards its objectives in the context of globalization (general discussion);*¹
- (iii) *the promotion of sustainable enterprises (general discussion).*

(GB.294/2/1, paragraph 7.)

(b) *Proposals for the agenda of the 97th Session (2008)
of the International Labour Conference
(GB.294/2/2)*

44. *The Chairperson* stated the previous discussion had allowed selection of two out of six technical items proposed for the agenda of the Conference in 2007, apart from the item on the fishing sector. The four remaining items would therefore be taken up again for the agenda of the Conference in 2008. The item on the promotion of rural employment for poverty reduction, presented in document GB.294/2/2 should be added. He also pointed out that, following consultations, it had been proposed that the Office prepare a document for the March 2006 session on these five items and he sought the opinion of the partners on this approach.

45. *The Employer Vice-Chairperson* supported this proposal that the Office should submit a document to the March 2006 session on the lines described by the Chairperson.

46. *The Worker Vice-Chairperson* approved the proposal, noting the March debate would provide the opportunity for new items, if any.

47. *A Government representative of Nigeria* stressed the importance for the African region of the item concerning promotion of rural employment for poverty reduction.

¹ Further elaborated as “strengthening the ILO’s capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century” (GB.294/2/1(Add.)).

Governing Body decision:

48. *In order to draw up the agenda of the 97th Session (2008) of the International Labour Conference and to develop items for the agenda of future Conferences, the Governing Body invited the Office to prepare a document for the 295th Session (March 2006) on the following items:*

- (i) child labour and protection of young workers (general discussion based on an integrated approach);*
- (ii) skills for improved productivity, employment growth and development (general discussion);*
- (iii) employment and social protection in the new demographic context (general discussion based on an integrated approach);*
- (iv) gender equality in the world of work: Successful practices in meeting the challenges of promoting equal opportunity in employment (general discussion based on an integrated approach);*
- (v) promotion of rural employment for poverty reduction (general discussion based on an integrated approach).*

(GB.294/2/2, paragraph 8.)

*(c) Date of opening and closing of the 95th Session
(May-June 2006) of the Conference
(GB.294/2/3(Rev.))*

Governing Body decision:

49. *The Governing Body:*

- (a) set the opening date of the 95th Session (2006) of the International Labour Conference for Wednesday, 31 May and the closing date for Friday, 16 June 2006;*
- (b) decided in consequence that the 296th Session (June 2006) of the Governing Body would be held on Monday, 12 June and, if need be, would complete its work after the closing of the Conference on Friday, 16 June 2006.*
(GB.294/2/3, paragraph 6.)

Third item on the agenda

FOLLOW-UP TO BE GIVEN TO RESOLUTIONS ADOPTED BY THE 93RD SESSION (JUNE 2005)
OF THE INTERNATIONAL LABOUR CONFERENCE AND OTHER MATTERS ARISING

*Resolution concerning youth employment
(GB.294/3)*

50. *An Employer member from Australia* recalled that in the discussion on youth employment held at the 93rd Session (2005) of the ILC, the seriousness of the problem had been recognized, but so had the existing potential for finding a solution if active follow-up

measures were taken. The Governing Body of the ILO should not content itself with approving the point for decision, but should instead assume its responsibilities in the area. The challenges posed by the issue of youth employment was nowadays a direct responsibility not only for the ILO but also for all the constituent elements of the Governing Body. One might say that the ILO was subject to one fundamental restriction in its consideration of the issue, in the sense that it could not create new jobs for young people. It was governments, in particular, which could do so, and governments needed to examine their national labour market policies in order to incorporate some of the key principles that had been discussed in June. He wanted to know what governments had done since then. Employers needed to invest in improving conditions for young people, and workers had to help young people to develop their employability and boost their confidence in their status as participants in the labour market. Since the discussions in June, the Employers had concluded that the diversity of circumstances required responses of an international, as well as national and local, nature. About 85 per cent of the world's young people worked in developing countries, many of which had only a limited capacity to do everything that had been proposed in the ILO's plan of action. There was a real need for technical assistance in the area of building entrepreneurship, with an appropriate regulatory framework, especially in economies which had only a limited capacity for developing individual initiative and self employment.

51. The speaker emphasized the importance of ensuring that the work done by the Office was integrated in the activities being undertaken by various international bodies in a number of countries through the Youth Employment Network. Paragraph 19 of the Office document referred to the new proposals regarding technical assistance for the countries of south-eastern Europe and Hungary. The work of the Office should also focus on certain regions where the youth population was clearly growing, as in Asia and the Pacific. Whether or not those young people would find employment would depend on the plans of action which governments were able to implement. In summary, the Office would need to do even more of what had been proposed in the document. For example, it should encourage even further its short- and medium-term action. If governments managed to contribute in a more positive way to job creation, the guidelines contained in the conclusions of the resolution could help to generate employment for young people and create a climate conducive to their finding decent work.
52. *An Employer member from India* referred to the prevailing conditions in South Asia, where most unskilled workers lived on less than one dollar a day. In order to promote youth employment, the ILO should implement skills acquisition programmes, above all in the least developed countries, to train young people in creating their own employment opportunities. The belief in the State as a provider, which had been prevalent over the past 15 years, needed to change.
53. *The Worker Vice-Chairperson* agreed with the representative of the Employers that youth employment posed a challenge to the ILO. The need to create jobs was something rich and poor countries had in common. However, creating employment was not something for the ILO but for all actors in society. By creating jobs in order to maintain a country's infrastructure, governments were not promoting their country's welfare or progress. On the other hand, by working together, employers, workers and governments could promote a society's full development by creating a demand for the necessities required for a country to function. The trade union movement for its part was undertaking international action which would have a direct impact on job creation.
54. The lack of hope or faith in the future was undoubtedly leading many young people to express their feelings in violent ways. Children as young as 12 and 13 years were beginning to rebel against the discipline of school and were well on the way towards

dropping out of education. Such behaviour was hardly surprising, considering that the best they might hope for was some years at university with no certain prospect of finding work.

55. According to economists, the problem lay not in lack of resources but in the unequal distribution of wealth. Individuals who had decent work could become consumers of goods and services, thereby increasing demand. It was well established that demand generated supply, and that could lead to the creation of jobs. But the facts showed that wealth was being accumulated by some, while there was a certain complacent acceptance that many people were working more for smaller reward, the only result of that in many parts of the world being reduced demand. If the present course of accumulating wealth without distributing it continued, the problem would become ever more acute, possibly to the point where possession of wealth would not guarantee the freedom to enjoy its benefits. Governments, employers and workers could be the agents of a revolutionary change based on training for young people and their integration in a decent job.
56. *The Employer Vice-Chairperson* said that, in view of the seriousness, complexity and overriding importance of the topic under discussion, he agreed that it should continue to be discussed in order that the ILO could contribute to job creation. He proposed that a new clause be added to the point for decision, requesting the Director-General, in accordance with paragraph 20 of the Office document, to present a report at the 295th Session of the Governing Body in March 2006 on specific actions and initiatives that had already been adopted or were envisaged with a view to ensuring that the topic would be addressed throughout the Organization as a whole.
57. *An Employer member from Gabon* said that in her country, the Confederation of Gabonese Employers had organized the employment forum in an attempt to address the obvious mismatch between supply and demand in the labour market. The forum had been conceived as a centre of permanent communication between formal sector employers and young jobseekers. The objective was to make it possible to find individuals with the occupational profiles needed by companies, to assess the competencies available in the national market, to elucidate the reasons for the failure of some people to become integrated in the country's national economic activity, and to inform young people of employment and career opportunities in the formal sector. The employment forum was the brainchild of the Confederation of Gabonese Employers but also drew on the experience acquired at the ILC, and was rooted in the recognition of the fact that cooperation was the third pillar of the plan of action adopted in the resolution concerning youth employment. It would be helpful, in the overall framework of technical cooperation, for the Bureau for Employers' Activities (ACT/EMP) to join forces with the International Organisation of Employers (IOE).
58. *A Government representative of South Africa* thanked the Office for the follow-up activities on youth employment that had taken place following the seminar organized in Zimbabwe for member States of the region. He was convinced that initiatives of that type and the dissemination of good practices would help to improve the situation. In Africa, for example, successful use had been made of much experience gained in Australia. The important issue was to ensure that young people could find a job without that meaning that others had to lose theirs. As the Office document indicated, young people, who made up the great majority of the unemployed, wanted to work and often had the necessary skills but were rejected on the grounds that they lacked experience. It was not surprising that many of those young people rejected the education system.
59. The Working Party on the Social Dimension of Globalization had proposed a forum on globalization policy, but the Employers, who had described the issue as "very important" in the same meeting room, had not supported the idea. In his view, the Employers were not being consistent in the defence of their ideas. They refused to share their experiences, to

identify areas for joint action, or to commit themselves to specific programmes and actions which would help further decent work in the interests of a fair globalization.

- 60.** *A Government representative of Romania* endorsed the resolution that had been adopted by the Conference and the ILO plan of action. It was a paradox that young people, who were an invaluable resource and the guarantors of prosperity and social well-being, were the very ones experiencing the greatest difficulty in obtaining work, becoming established and adapting. The long-term integration of young people in the labour market basically depended on the capacity of the education system to provide them with skills that matched the needs of the labour market and to awaken in them the creative capacity and inventiveness which were needed for a stable and rewarding working life. What was needed was sustainable action to allow the implementation of policies and programmes intended to promote decent work for young people, following the example of the plan of action and on the basis of the resolution concerning youth employment. The technical assistance provided regularly by the ILO could lend consistency to discussions, facilitate arguments and provide an alternative to policy and legislative solutions and the various other measures adopted. Without the support of the social partners and the promotion of social dialogue, it would not be possible to promote decent work or to achieve growth in youth employment. The Government of Romania endorsed the point for decision.
- 61.** *The Employer Vice-Chairperson* explained that the Employers' group had opposed the establishment of a globalization policy forum until such time as the precise nature and cost of such an initiative could be ascertained. Their refusal did not reflect a populist or opportunistic attitude, but was the firm and consistent expression of an authority that rested on the representative character of one of the constituent parts of the tripartite Governing Body, which was always open to dialogue and discussion.
- 62.** *The Worker Vice-Chairperson* referred to the amendment proposed by the Employers' group to paragraph 21 of the Office document GB.294/3. The Workers' group was in principle willing to continue discussions on the point in question in March 2006. He wished, however, to avoid having yet another document presented or adopting a selective focus on the issue of youth employment which, in his view, should be a broad topic that required broad and coherent examination. The work which the ILO would do in future would have to be based on practical implementation of all aspects of the resolution. The Workers' group reiterated its interest in the issue of youth employment and again suggested that it was important to find the right approach to the problem of inadequate experience. He suggested adopting the new clause (c) of paragraph 21.
- 63.** *A Government representative of the United Kingdom*, replying to the question from the Employers' representative as to what governments had done in the area of youth employment since the 93rd Session of the Conference (June 2005), described what had been done in the United Kingdom since the country had joined the Youth Employment Network at that session. The decision to join as a lead country had been based on the increasing awareness at the national level of the global dimension of the youth employment issue and, ultimately, of the necessity of tackling the issue in an international context. The decision also reflected a recognition of the greater impetus which had been given at the international level to action to combat poverty, with which the issue of youth employment was inextricably linked. It also echoed the Millennium Development Declaration and Goals. He hoped and expected that during the current year, in which the United Kingdom had assumed the presidency of the European Union and the G8, the United Kingdom Government would be able to maintain the impetus established by the Millennium Declaration.
- 64.** Still with regard to the activities that had been carried out since June 2005, the speaker said that the United Kingdom occupied a prominent place in a number of events relating to

youth employment that had taken place under the auspices of the United Nations. One example was the parallel event which had taken place in October 2005 to celebrate the tenth anniversary of the World Programme of Action for Youth. The emphasis in that event had been on the importance of greater participation by employers in developing training and in implementing programmes in order to ensure that they met the real needs of the market. In November 2005, the United Kingdom Permanent Mission in New York together with UNDP organized a meeting in which international business leaders and various distinguished individuals took part. The meeting highlighted the importance of creating links between enterprises and other actors involved in activities relating to youth employment. The Youth Employment Network would be an appropriate mechanism for helping to create those links. Investment in jobs for young people made commercial sense in the long term, and the banking sector should increase microcredit for young people. The United Kingdom was collaborating with various companies centred on a group entitled Business Action for Africa, the objective of which was to bring together different interests under a single slogan with a view to bringing about positive change in Africa.

65. Lastly, in 2004, the United Kingdom's Department of Education and Skills published a five-year international strategy based on three related objectives, the aim being to ensure that all children could obtain the skills and knowledge they needed to contribute to the global society. One of those objectives was to ensure that those responsible for providing education and training were committed to working internationally with enterprises.
66. *A Worker member from France* emphasized that the issue of youth employment concerned virtually every country, and the ILO could not ignore the need to study it. While the issue was real, obvious and recurrent, the ILO could obviously not create jobs in different countries because the members of its Governing Body did not represent the people who had the authority to take decisions in that area, at least as far as the private sector was concerned. The topic was, however, worth examining in a comprehensive manner, just to avoid discrepancies or ensure a certain coherence, and to ensure that certain countries did not, with the best possible intentions, adopt provisions on youth employment which were inconsistent with general commitments made by them.
67. He thanked the Government representative of the United Kingdom for his statement on the measures that had been taken in his country. It was not clear if they were the most appropriate but they could in any case serve for the purpose of comparisons and evaluating their impact. For those reasons, and leaving aside any notion of courting popularity or of argument for its own sake, the Workers' group supported the proposal. What was needed was an effort to ensure that every individual had an opportunity to assert his or her dignity through work, which very much fitted in with the ILO's efforts to achieve decent work.
68. *A Government representative of Kenya* said that young people made up 60 per cent of his country's population. That meant considerable development potential. He agreed that the issue of youth employment was a global problem that had negative effects in all areas of the world. It was strange to see that something which should be considered beneficial in reality was not beneficial in present circumstances, in which the majority of young people were not productive. That explained the current concerns about population ageing.
69. Kenya was grateful to the ILO for the technical assistance it had provided through its programme, thanks to which it had been possible to produce a handbook for young people wishing to start up and manage a sustainable business. As part of its efforts to promote youth employment, Kenya would be hosting the Third Global Youth Employment Summit in September 2006. In that context, the speaker drew attention to paragraphs 17 and 19 of document GB.294/3, which referred to the assistance given to governments, the growing interest shown by some donor countries, and the probable extension of the current

technical programme in the area of youth employment. He agreed that the topic should be examined again in March 2006, and endorsed the point for decision.

70. *A Worker member from the United Kingdom* referred to paragraph 32 of the resolution concerning youth employment, which set out certain principles that were fully shared by the Government of his country, in particular that “Education for all is an effective means of combating child labour and eradicating poverty.” He referred the members of the Governing Body to the document prepared by the United Nations General Assembly in September 2005, which expressly cited ILO Conventions Nos. 138 and 182 and referred to “primary” education, not to “basic” education (primary education as understood by the ILO plus two or three years of secondary education) or secondary education. That was at variance with the obligations accepted by member States that had ratified ILO Conventions Nos. 138 and 182. Convention No. 138 clearly stated that the minimum age for admission to employment or work could not be lower than the age at which full-time education ceased to be compulsory and, in any case, not lower than 15 years, or 14 years in exceptional circumstances. The Preamble to Convention No. 182 referred explicitly to basic education, that is, primary education plus a further two or three years, because of its importance to the effective abolition of the worst forms of child labour. The speaker was aware that other organizations in the United Nations system were content to limit themselves to primary education, but the ILO set its sights higher. In the interest of consistent policies, he requested the ILO to hold fast to its position in that area in all its activities within the common system.

Governing Body decision:

71. *The Governing Body requested the Director-General to:*

- (a) communicate the resolution concerning youth employment to the governments, employers’ and workers’ organizations of member States and to intergovernmental organizations, non-governmental international organizations with consultative status and the other non-governmental international organizations concerned with the issue of youth employment;*
- (b) take full account of the resolution when planning future action on youth employment, including when implementing the Programme and Budget for the 2006-07 biennium and when allocating such other resources as might be available during the 2006-07 biennium;*
- (c) in accordance with paragraph 20 of document GB.294/3, present to the Governing Body for the purpose of discussion an oral report on specific measures and initiatives that were under way or planned to ensure that the issue was addressed throughout the Organization.*

(GB.294/3, paragraph 21, and proposal presented by the Employer Vice-Chairperson.)

Fourth item on the agenda

THE FUNCTIONING OF DECISION-MAKING BODIES (GB.294/4/1)

(a) The International Labour Conference

72. A Government representative of Brazil, speaking on behalf of the Government group, said that the group appreciated the efforts made by the Office to hold various informal consultations with the constituents, in response to its request made at the 292nd (March 2005) Session of the Governing Body.
73. The Government group fully supported the point for decision and the idea of establishing a small Governing Body working group responsible for formulating recommendations on improvements to the structure and functioning of the ILC within a given time frame. Any ILC reforms should be based on the following four principles: to ensure that, in fulfilling its mandate, the ILC functioned in a more efficient, objective and transparent manner; to use the limited time and resources more effectively and lighten the burden on ILO constituents and the Office; to guarantee a truly tripartite forum where current social and labour issues of global importance were examined; and to raise the visibility of the ILO.
74. With regard to the functioning of the ILC, the Government group considered that there was a wide scope for reform. It was confident that the working group would hold fruitful discussions and that, at its 297th (November 2006) Session, the Governing Body would have before it a satisfactory recommendation. As regards the composition of the working group, the Government group considered that each of the three groups should nominate eight representatives to guarantee that the constituents were represented fairly.
75. *The Employer Vice-Chairperson* said that the Employers' group not only supported ILC reform, but was also committed to efforts to ensure that the Conference was more efficient and transparent and less bureaucratic, provided an adequate tripartite forum and became more visible and relevant in the world of work. The group agreed with the structure of the working group and the number of members.
76. *The Worker Vice-Chairperson* said that the Workers' group disagreed with the idea of establishing a small working group that could function as yet another committee among the standing committees. His group had already had to renounce the idea of having other committees with more important functions, for example, in the area of occupational safety or social dialogue. On the other hand, the Workers could support the establishment of a working group that would hold a one-off meeting, after which it would be dissolved. With regard to the number of representatives, he would have preferred maintaining the original number of five representatives for each of the three groups. However, his group was willing to accept the Government group's proposal of eight representatives from each group. The most important issue was that the main functions of the ILC be examined in detail.

Governing Body decision:

77. *The Governing Body decided to establish a small working group of the Governing Body, composed of eight representatives from each of the three groups, to meet during the 295th Session (March 2006) of the Governing Body, with the objective of developing recommendations on possible improvements to the structure and functioning of the International Labour Conference, to be presented to the 297th Session (November 2006) of the Governing Body.*

(GB.294/4/1, paragraph 9, and the proposal made by the Government group.)

(b) The Governing Body

- 78.** *A representative of the Director-General* explained that, when the functioning of the ILC had been examined, no course of action had been established for improving the functioning of the Governing Body. Therefore, there were no elements on which to report. However, two important issues should be highlighted. One of these, an item which had already been discussed in the Governing Body itself, was how the Governing Body should cover all the strategic objectives of the Organization. In that regard, the possibility of extending the mandate of the Committee on Sectoral and Technical Meetings and Related Issues (STM) to address social dialogue issues had been studied. That had been indicated in the report presented in June 2005 when the Governing Body had established the STM, with the understanding that its mandate would be discussed at a later date. Informal consultations had been held and their conclusions appeared to suggest that the current mandate of the STM should be maintained. That said, with the approval of the Committee's Officers, there was nothing to prevent the STM from examining other matters, such as labour administration. However, should the need arise to hold discussions on policy issues related to social dialogue, those discussions would take place in the Governing Body itself, given that the Governing Body had already decided that documents on policy issues could, as appropriate, be submitted directly to the Governing Body.
- 79.** The second issue worth highlighting was the date and time of the Governing Body session that usually followed the ILC, generally on the Friday when the Conference finished on a Thursday. To shorten the overall duration of the Conference period by one day, the possibility could be considered of holding the Governing Body at the beginning of the last week of the Conference. A short Governing Body meeting would then be held after the closure of the Conference to take up any outstanding questions. However, circumstances had hastened such changes, and the Governing Body had already decided to adopt that arrangement in 2006 (cf. item 2(c)). Should that schedule prove successful in 2006, it could be considered for adoption as standard procedure in the future.
- 80.** *A Government representative of Brazil* made a statement on behalf of the Government group. First and foremost, the group wished to express its gratitude to the Office for the oral report and the implementation of various changes resulting from discussions held on Governing Body reform. However, the Government group was bound to repeat some of the proposals it had made at the 292nd Session (March 2005).
- 81.** The agenda of each committee must be directly related to the governance of the Governing Body and take into account the time available and previous debates on similar subjects. The procedure for selecting agenda items must be transparent. Despite the request made to that effect, consultations with regional coordinators had been limited.
- 82.** The Government group fully supported the idea that the Officers of committees should continue to consult Government coordinators. One way of doing that would be to provide a draft agenda in advance so that it could be examined by each region or group before any decisions were made. With regard to the structure of the committees, the Government group agreed with expanding the current mandate of the STM to cover social dialogue. Given the broad meaning of the term "social dialogue", the scope of any agenda item on the subject should be defined. That would strengthen the supervisory role of the Governing Body, and in particular in the Social Dialogue Sector.
- 83.** The Government group wished to reiterate various points related to improving time management and documentation. As regards the distribution of documents, it had been observed that the most important documents were usually the last to arrive. The Office was

once again requested to ensure that all documents be distributed in all the official languages at least four weeks prior to the Governing Body. As far as possible, the Office should make increased use of information technology in order to reduce the printing and distribution costs of documents and speed up their distribution.

- 84.** The Government group supported the idea of limiting the length of statements, which was a measure that had been implemented in the Committee on Technical Cooperation. All constituents and the Office should endeavour further to improve time management, particularly in the Programme, Financial and Administrative Committee (PFAC). The Government group considered that it was unacceptable for the afternoon sitting to start at 5 p.m. and end at 9.30 p.m., unless, of course, under exceptional circumstances. Such practices were not in keeping with ILO criteria, according to which a work-life balance must be established, and were unfair to ILO staff and Governing Body members.
- 85.** *The Worker Vice-Chairperson* was reluctant to accept any suggestion to limit the length of statements in Governing Body committees. Similarly, his group was reticent towards proposals to shorten Governing Body sessions: this would, inter alia, have a serious toll upon the staff servicing those sessions. Excessive hours were also detrimental to members' work. Furthermore, the contributions made by Workers should not be curtailed: the group was organized and had but one spokesperson, even though he often had to interpret a whole range of opinions. Governments should be fully cognizant of this fact when demanding further efficiency, and act together with the social partners who secured workplace stability in favour of national economies. It should also be recognized that breaks and flexibility in a debate sometimes helped the debate to move forward to conclusion. Reduced costs and transparency were important, but democratic process should be respected and the small should be given the chance to speak together with the large. The decision to hold part of the Governing Body session of June 2006 during the last week of the ILC should not be taken as setting a precedent, and the experience should be closely observed.
- 86.** With regard to the establishment of the agenda of Governing Body committees, his group applied discipline to determine the issues of concern that should be included for subsequent sessions, and these were finally agreed upon between committee offers. In this way, his group was ultimately in a position to make a substantive contribution to the relevant debate. He trusted that Government coordinators acted similarly and it would not appear opportune to create some select decision-making body for this purpose. He agreed that the modalities of oversight of social dialogue within the Governing Body should be further examined.
- 87.** *A Worker member from France* recalled that a break had been held during the proceedings of a committee the previous week, but that this interruption had borne its fruit, even if it had entailed working slightly less regular hours. In any event, when the Governing Body was in session, he considered himself to be present and available to the Governing Body for the advancement of its work. The discussions in that committee could, however, be usefully curtailed by some Governments paying their contributions promptly. On occasions, the work of the committee was unnecessarily prolonged by questions bordering upon micro-management of the Office. Some organizations were possibly in a position to reduce the length of their meetings; others, that dealt, inter alia, with human rights, required longer: such organizations were frequently the sole mouthpiece available to those in difficulty. Similarly, some Governments might wish the Conference to be shorter so that their cases would not be examined before the Application of Standards Committee. This, however, was a vital function of the ILC and the supervisory machinery.
- 88.** *The Employer Vice-Chairperson* noted that much had changed positively over recent years in the organization of meetings and that attention should concentrate on optimizing the

efficiency and relevance of tripartite forums. In that respect, concern could legitimately be voiced about whether that objective was being achieved in the Conference plenary debate. Equally, he asked whether the Governing Body invested adequately in substantive debates to give strategic guidance and foster decision-making, or tended more to micro-manage. The Employers had prepared and distributed documents on these issues and he was concerned to achieve tripartite consensus on them to the extent possible, to exercise a true governance role in the Governing Body. Less important were matters of procedure; he saw no need, for instance, for the debate of the Committee on Freedom of Association to be repeated in the Governing Body. Problems also lay in the fact that representatives were not in Geneva for the entire session to contribute to the course of debates.

89. With regard to the terms of reference of the Committee on Sectoral and Technical Meetings and Related Issues, his group could accept an extension to cover labour administration, but not social dialogue: this latter was a cross-cutting issue, and should be taken up by the Governing Body itself.
90. *A representative of the Director-General* indicated that the discussion had been noted by the Office. He pointed out that proper rostering and planning was carried out for staff working at ILO meetings. The revised scheduling of the Governing Body in June 2006 was unavoidable on this occasion, and it would meet at an appropriate time when delegates were waiting for the final Conference documentation to be processed; this experience would be assessed. The sitting to be held at the end of the Conference would be a brief opportunity to address any further matters arising directly from the Conference.
91. With regard to the agenda of Governing Body committees, it was appropriate for the Officers to agree on plans for subsequent sessions; government regional coordinators should be consulted in this process, although the final decision did not lie with them, but with the Officers of the Governing Body. The Committee on Legal Issues and International Labour Standards had the practice of agreeing at each meeting upon the agenda for the following session. Current policy with regard to the availability of papers was that they should be accessible two weeks before the relevant debate. It would not be practicable to require more, as this would reduce the period that reports could encompass. Furthermore, it appeared understandable that documents subject to consultations sometimes appeared later than others.

Fifth item on the agenda

ENHANCED PROGRAMME OF TECHNICAL COOPERATION FOR THE OCCUPIED ARAB TERRITORIES (GB.294/5)

92. *A representative of the Director-General* announced the death of Mr. Khaled Dudine, the ILO representative in Jerusalem. Mr. Dudine was a most respected and admired man, and his death left a void; it would be difficult to replace such a devoted and competent official.
93. Presenting the document, the representative noted prudent optimism in the region; the withdrawal from the Gaza Strip had presented a new opportunity and the international organizations hoped that their activities on the ground would be made easier due to greater freedom of movement.
94. Since the last report, the Palestinian Fund for Employment and Social Protection (the Fund) had shown real development, mainly with the appointment of a new director and staff. The Palestinian Authority had undertaken, at the highest level, to channel all resources earmarked for employment and social protection through the Fund. As regards

the social partners, collaboration with the Federation of Palestinian Chambers of Commerce, Industry and Agriculture (FPCCFA) had helped to provide support to more than 100 small or medium-sized enterprises (SMEs). On the workers' side, the project to enhance the institutional capacity of the Palestinian Federation of Free Trade Unions (PFFTU) was being carried out in cooperation with ACTRAV. The accent was mostly on employment policies, health and safety, and social protection.

95. *The Employer Vice-Chairperson* declared that his group placed special attention on ILO technical cooperation programmes in the region as they not only contributed to the creation of jobs and enterprises but also to the establishment of peace in the world. The Employers supported the strengthening of general programmes and also of programmes to enhance institutional capacity and social dialogue for the 2006-07 biennium. The ILO was doing useful and efficient work in the region and it was to be hoped that it would receive the necessary support to carry out its task.
96. *A Government representative from the United Arab Emirates*, speaking on behalf of the Employers' group, supported the Office proposals for the continuation of the technical cooperation programme. He asked for greater efforts in the fields of employment and working conditions as well as the strengthening of the Fund. The Employers insisted that the budget share for 2006-07 remained at the same level as for the previous biennium.
97. *The Worker Vice-Chairperson* thanked all those who had supported the cause, work and efforts of workers in the occupied Arab territories. He nevertheless regretted that support and practical assistance to the territories seemed to be falling off.
98. *A Worker member from Algeria*, speaking on behalf of the Workers' group, recalled the resolution on tripartism adopted by the ILC in 2002 and asked that tripartism and social dialogue be enhanced with greater involvement of the social partners in the region. The Fund should place more stress on the objective of decent work for tripartite stakeholders. NGOs played a major role but, in the world of work, the social partners were the leading players. He appealed to the Palestinian Authority to make trade unions properly represented as they were a key factor in the peace process.
99. *A Worker member from Egypt*, agreeing with the previous speaker, insisted that trade unions should be fully involved in all consultations. She stressed that NGOs should in no way be allowed to replace the social partners. All efforts should promote peace in the region.
100. *A Government representative from the Philippines*, speaking on behalf of the Asia-Pacific Group, appreciated the effort involved in carrying out the technical cooperation programme and supported the approach presented in the document. Given the worsening of economic and social conditions of workers and employers in the occupied Arab territories, she requested the Director-General and the Governing Body to increase resources allocated to the programme for 2006-07 and to launch an appeal to donors for sufficient financial support to the Fund.
101. *A Government representative of the Netherlands* supported the programme and expressed satisfaction with progress made. He was nevertheless concerned about duplication of programmes initiated by the ILO and other organizations such as the World Bank or the European Union. He regretted that the document did not mention possible cooperation with other donors or the medium-term development programme for 2005-07 of the Palestinian Authority.
102. *A Government representative of the United States* fully supported the technical cooperation programme for the occupied Arab territories, which was an excellent example of the way

the Office could, in difficult conditions, work for the rights of workers, social protection, employment and social dialogue.

- 103.** *A Government representative from Nigeria* congratulated the Office for the work carried out to improve the situation of workers in the occupied Arab territories and encouraged it to monitor the situation in the Gaza Strip in order to determine where its work could be most effective. He expressed his condolences for the family of Mr. Dudine.
- 104.** *A Government representative from Cuba*, also wished to be associated with the homage paid to Mr. Dudine. Cuba supported the statements by the Philippines and Nigeria. She hailed the efforts made by the ILO to enhance capacity and promote decent work and international labour standards in the territories and thanked those countries which had provided funds.
- 105.** *A Government representative from Jordan* thanked the Director-General and the Office for the activities carried out in the occupied Arab territories. Nevertheless, he noted that the situation in the region seriously affected the implementation of the programme and results were not always equal to the effort involved. Speaking on behalf of the Arab group, he requested an increase in resources for the programme and strengthening of the Fund, especially in view of the fact that recent developments had brought new optimism to the region which should improve ILO interventions. Finally, he presented his condolences to the Office and to the family of Mr. Dudine, who had been an exceptional official.
- 106.** *A Government representative from the Islamic Republic of Iran* said that, given the extremely difficult situation of workers in the occupied Arab territories, assistance should be multiplied by two. He also suggested that all programmes be grouped under ILO leadership.
- 107.** *A representative of the Director-General* said that the comments made would be useful for developing future Office activities in the occupied Arab territories. Responding to comments by Worker members from Algeria and Egypt, he noted that civil society was extremely active in the occupied Arab territories because of the very particular conditions in which Palestinians lived. He stated that it was the board of the Fund that had decided to involve NGOs in the implementation of programmes. Regarding duplication of programmes mentioned by the Netherlands, the Office would aim to highlight links with other programmes in the next document. He stressed that the ILO was very active in the work of the group responsible for coordinating the activities of all international organizations involved in the occupied Arab territories. The best way to avoid duplication was to channel all employment and social protection programmes through the Fund and by involving the Palestinian Authority at the highest level in the Fund.
- 108.** *The Director-General* pointed out that tripartism gave the ILO a special responsibility towards workers in the occupied Arab territories. The Office described activities carried out to improve very difficult living conditions in the territories in an annual report. The ILO must continue to enhance its tripartite presence to improve its capacity for action. Finally, the Director-General paid homage to Mr. Khaled Dudine, who had been an exceptional man and who had worked untiringly for the implementation of the programme.

Governing Body decision:

- 109.** *The Governing Body took note of developments regarding the Enhanced programme of technical cooperation for the occupied Arab territories.* (GB.294/5, paragraph 9.)

Sixth item on the agenda

DEVELOPMENTS CONCERNING THE QUESTION OF THE OBSERVANCE BY THE
GOVERNMENT OF MYANMAR OF THE FORCED LABOUR CONVENTION, 1930 (No. 29)
(GB.294/6/1(&Add.); GB.294/6/2(&Add.))

- 110.** *The Ambassador of Myanmar* recalled that Myanmar had been a Member of the ILO for more than 57 years, and was party to 19 international labour Conventions. The issue of the Government's compliance with the Forced Labour Convention, 1930 (No. 29), had been raised by certain constituents since the early 1990s, and had led to the establishment of the Commission of Inquiry in 1997. The Ministry of Home Affairs, in response to the Commission's recommendations, had issued Executive Order No. 1/99 of 14 May 1999, and Supplementing Order No. 1/99, to bring the Towns Act and the Village Act of 1907 into line with Convention No. 29. Since then, six ILO missions had been received in Myanmar and the Government had accommodated their recommendations in so far as they did not impinge on national interest and sovereignty.
- 111.** The conclusions adopted by the Committee on the Application of Conventions and Recommendations at the 93rd Session (2005) of the ILC in respect of Myanmar's observance of Convention No. 29 were particularly harsh. They had given rise to demonstrations throughout the country in which representatives of social, cultural and non-governmental organizations called for Myanmar to withdraw from the ILO and denounced the All Burma Student's Democratic Front (ABSDF), the Federation of Trade Unions of Burma (FTUB) and the National Confederation of Trade Unions of Burma (NCTUB) for their terrorist activities. By Orders Nos. 2/2005, 3/2005 and 4/2005, issued on 28 August 2005 by the Ministry of Home Affairs, these organizations were made illegal.
- 112.** Myanmar opposed the use of sanctions against a member State to bring political change. The Government had been fully cooperating with the ILO and reactivation of the sanctions under the resolution of June 2000 would cause unjust suffering among the population. The sanctions imposed by some countries had severely affected Myanmar workers. Women in the textiles sector had lost their jobs due to the closure of 160 garment factories and the downsizing of 40 related factories. Some 80,000 workers had become unemployed and the livelihoods of 400,000 more had been affected. The mass demonstrations showed clearly the outrage felt in Myanmar at the decision to reactivate sanctions that had had such adverse effects on the working population.
- 113.** Myanmar was fully aware of its responsibility in respect of the security of United Nations personnel residing and working within its territory, and had already taken the steps necessary to protect the safety of the ILO Liaison Officer *ad interim*. In respect of the specific cases raised in the report, Su Su Nwe's medical needs had been attended to; U Aye Myint was a high court lawyer and therefore was well aware of the consequences of his actions. His prosecution had been made not on the grounds of his contacting the ILO Liaison Officer, but because he passed on unfounded information, a crime under section 5(e) of the Emergency Provisions Act of 1950. He was free to appeal to a higher court of law.

114. Because of the measures adopted by the ILO, Myanmar was not represented at ILO meetings and received no technical assistance. The Myanmar Workers' representative had been absent from the ILC for the past two years. However, the Government was committed to remaining a part of the international community and would continue to find ways to cooperate with the Organization and with its Liaison Officer *ad interim* to eradicate forced labour. The ILO should reciprocate this by entering into a new era of cooperation with Myanmar, based on sincerity and good faith, free from a tendency to politicize issues that were not related to labour matters. Myanmar required encouragement and support rather than condemnation and confrontation.
115. *The Worker Vice-Chairperson* stated that the Workers' group would not respond to threats issued by the Government of Myanmar that it might withdraw from the ILO. Whether to stay a Member of the ILO or not was the Government's decision. In drawing attention to the violation of workers' rights in Myanmar, the group had in no way infringed the country's sovereignty and it rejected absolutely the Government's charges that workers who were attempting to organize and speak out against injustice were indulging in terrorist action. The Government was mounting a campaign against the ILO by organizing mass rallies. It was likely that the huge number of abusive emails being sent to ILO staff and to trade union leaders, as well as the series of death threats made against the Liaison Officer *ad interim* and the former Liaison Officer *ad interim*, were part of the same orchestration. This was not the behaviour of a government interested in cooperating with the ILO. The group further rejected claims that it was harbouring traitors and terrorists in the person of the General Secretary of the FTUB, Maung Maung; the news that Su Su Nwe had received the medication she required was welcome, but concrete evidence should be given of this; U Aye Myint's death sentence for high treason by communicating with the ILO had been cancelled, but he had now been rearrested and sentenced to seven years' imprisonment for exactly the same reason.
116. The group welcomed the reports of action taken by the Governments pursuant to the resolution adopted by the Conference in June 2000, as well as that taken by the Workers and international organizations. Any further steps taken by the Governments in pursuit of the same aims, subsequent to the decision at the 93rd Session (2005) of the Conference, including in respect of foreign direct investment, would be equally welcome. If such action was causing difficulties in Myanmar, it was the country's Government that was responsible by choosing not to observe the simple, fundamental values to which all ILO member States were committed. The Workers' group would be analysing the action taken and would inform the Office of its views in due course; however, the door was always open for the Government to resume meaningful cooperation. The 2005 Conference had given a clear mandate to the Governing Body not simply to review the steps taken under the resolution of June 2000, but also to consider further action. The present session should be the first discussion on such further action, and a decision should be taken at the 295th Session (March 2006) of the Governing Body to prepare a place for Myanmar on the agenda of the 95th Session (May-June 2006) of the Conference. In the meantime, as a strict minimum, the Government should:
- provide serious and credible guarantees regarding the safety of the Liaison Officer *ad interim* and his family, as well as that of the Informal Facilitator, Mr. Riedmatten;
 - publicly express support for the ILO and for its representatives and collaborators in the country, and cease levelling accusations of terrorism;
 - identify and prosecute the authors of the death treats;
 - publicly announce that communicating information on forced labour to the ILO was not a crime;

- release immediately any persons detained for having spoken to the ILO on matters related to forced labour or violations of rights and desist from further civil or criminal prosecutions against persons reporting on violations of ILO standards;
 - desist from accusing the General Secretary of the FTUB of being a terrorist.
- 117.** Finally, the group also believed that Workers' representatives should be allowed to visit Myanmar and that these representatives should be freely chosen and not designated by the Government itself.
- 118.** *The Employer Vice-Chairperson* said his group remained very profoundly worried by the alarming situation in Myanmar. The threats made against the Liaison Officer *ad interim* constituted an act of the utmost gravity. However, neither in the face of these threats nor of the public demonstrations was the Employers' group disposed to back down. The group condemned any attempts to prevent an international official from performing duties mandated to him by the Governing Body and wished the Ambassador of Myanmar to communicate this message to the Government. It was forced labour that was in question here, and beyond that, the rights upheld by the ILO Declaration on Fundamental Principles and Rights at Work, which the group entirely endorsed. There could be no grey areas in the freedom to work: either work was freely performed, or it was not.
- 119.** The Employers' group was not issuing threats: it was simply applying the legal, institutional standards approved by an Organization of which Myanmar was a Member. If the country no longer wished to be a member of the international community that was its responsibility. Sanctions were not intended to be persecutions, but formed part of the legal structure and functioning of the Organization; they were the consequence of non-observance of standards.
- 120.** The Ambassador had referred to mass demonstrations and calls for the country to withdraw from membership of the ILO. His inference was that by applying article 33, the ILO was responsible for the loss of jobs in Myanmar. However, the real damage to Myanmar society would be self-inflicted if the Government, instead of collaborating with the ILO to eradicate forced labour, withdrew from the Organization, believing that it could then continue its forced labour practices and its position would improve. The globalized world to which the Employers aspired was, within a context of free trade and initiative, one in which there was more work because the fundamental principles at work were respected, and where there was freedom of association, freedom to negotiate, eradication of child labour, of discrimination and of all forms of forced labour.
- 121.** The Employers rejected the inference that by remaining determined to eliminate forced labour in Myanmar, and by remaining prepared to cooperate with the Government, the ILO had affected negatively work and employment in the country. Nevertheless, the group was hopeful that, despite the efforts made already, the contradictions, the disappointments, a report would be submitted in March that would, contrary to the present report, bear witness to progress achieved.
- 122.** *A Government representative of the Philippines*, speaking on behalf of the ASEAN (Association of South-East Asian Nations) member States of the ILO, expressed appreciation of the Director-General's efforts in continuing to cooperate with the Government of Myanmar with a view to eradicating forced labour in the country. The Liaison Officer *ad interim* was playing an important role in Myanmar and should be enabled to continue to assist the Government to respect Convention No. 29. The ASEAN member States recognized that Myanmar had received five ILO technical cooperation missions, one High-Level Team and one very High-Level Team (vHLT) since 2001, and appreciated that the Government had also received a recent mission headed by the

Director-General's special representative, from 18 to 19 October 2005, where frank and open discussions had been held with the Minister of Labour with a view to finding solutions to the outstanding issues. It was imperative that both sides should work together and put in place a concrete framework allowing dialogue and cooperation at all levels. The process of dialogue and cooperation should continue in a spirit of mutual trust and confidence rather than the adoption of alternative measures.

- 123.** A Government representative of the United Kingdom made a statement on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries, Turkey and Croatia, the countries of the stabilization and association process and potential candidates, Albania, The former Yugoslav Republic of Macedonia, Serbia and Montenegro and the EFTA countries, Iceland and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Switzerland.
- 124.** The European Union (EU) regretted, at the 93rd Session of the Conference, that Myanmar had taken no significant action to eradicate forced labour. There had still been no response to the very clear recommendations made by the vHLT in March 2005, and the Government displayed no willingness to prove its commitment to eradicate forced labour during the recent visit of the Director-General's special adviser to Myanmar. Moreover, the authorities had failed to stop an orchestrated campaign of death threats against the Liaison Officer *ad interim*, despite requests from the United Nations to investigate these threats to a UN official. The EU called on the Governing Body to place on record its strong support for the continuing work of the Liaison Officer in Myanmar, who should be free to travel safely throughout the country and whose office should be able to function free of interference and intimidation.
- 125.** The EU fully supported the conclusions of the Conference Committee in June 2005, including the indication to the present Governing Body that it should not limit itself to reviewing the steps taken under the 2000 resolution, but should be ready to consider further action. The detailed replies by member States, employers' and workers' organizations and international organizations to the Committee's request for a review of action taken showed how strong was the feeling against the use of forced labour in Myanmar. The EU had adopted a common position including a range of restrictive measures targeted at those preventing reform and progress: the members of the State Peace and Development Council and their associates, thus affecting the ordinary people of Myanmar as little as possible. This common position also allowed for increased EU assistance to the ordinary people. The measures had been reinforced in October 2004, and were reviewed annually, most recently in April 2005. Under the present circumstances, the EU saw no reason to lift the measures. In 1997, Myanmar had been suspended from the EU's Generalized System of Preferences on the basis of human rights abuse, meaning the country no longer benefited from tariff-free access to EU markets.
- 126.** The EU remained seriously concerned at forced labour abuses in Myanmar, particularly by the military. No soldiers had yet been prosecuted for offences. Those bringing complaints to the authorities were subject to harassment, and the EU condemned the fact that Su Su Nwe, who had successfully sued local authorities over forced labour, had now received a prison sentence of 18 months, three times as long as those handed down to the guilty parties. Three villages in Aun Lang township were being prosecuted for complaining at the death of a villager caused by forced labour, and U Aye Myint had been sentenced to seven years' imprisonment for legally representing farmers whose land had been confiscated and who had complained to the ILO. The authorities should cease persecuting those trying to stop forced labour in the country and include a specific reference banning forced labour in the proposals for a new constitution, in line with the country's commitment to the ILO.

- 127.** Dialogue and cooperation were still possible, but the Government had failed, over a period of nine years, to make significant progress. The EU therefore requested the Office to prepare the documentation for a discussion of the issue at the March 2006 session of the Governing Body, allowing a decision on whether to include the question on the agenda of the 95th Session of the Conference. The purpose of the Conference discussion would be: firstly, to review, on the basis of a report from the Office as guided by the Governing Body, the measures adopted by the Conference in June 2000 under article 33 of the Constitution; and secondly, to consider strengthening these measures.
- 128.** *A Government representative of Canada* noted that the situation in Myanmar had in no way improved: U Aye Myint's imprisonment was a clear example of this. Forced labour was only one among many human rights violations in the country. Canada deplored the prison sentences imposed on political leaders including the General Secretary of the National League for Democracy, Aung San Suu Kyi and the party's Chairman, Aung Shwe. All political prisoners should be released forthwith. The authorities must take effective measures to eliminate forced labour; to reinstate the freedom of movement of the Liaison Officer *ad interim* and guarantee his safety; to permit the establishment of a facilitator mechanism and ensure that no action was taken against those lodging complaints concerning forced labour; and reinstate a dialogue of respect with the ILO. The Office should provide an updated report to the Governing Body in March 2006, and in the absence of real progress, Canada would support a discussion at the 95th Session of the Conference with a view to strengthening the measures adopted under article 33 of the Constitution in 2000.
- 129.** *A Government representative of China* noted that the Government of Myanmar had provided clear statements in respect of the situation in the country over the years, and had today restated its desire to continue to cooperate with the ILO. As such, the meeting held with the Director-General's special representative on 18 and 19 October 2005 was an example of this. China endorsed the statement made on behalf of the ASEAN member States and believed that dialogue and effective cooperation would provide the way forward.
- 130.** *A Government representative of the United States* praised the role played by the ILO and the Liaison Officer *ad interim* in the fight against forced labour in Myanmar. Efforts had been made to maintain dialogue with the authorities; a technical assistance programme had been developed which drew on the ILO's experience and which provided a genuine tool for eliminating forced labour, but the Government had failed to provide concrete evidence of a genuine political will to wipe out the practice. The latest report showed that the Liaison Officer *ad interim*'s movements were restricted and that the proposed facilitator mechanism was no longer acceptable. Those who had defended persons who complained of forced labour were in prison; Aung San Suu Kyi was still under house arrest and the National League for Democracy was unable to take up its place as the elected Government of Myanmar. Apparently, the SPDC authorities had no intention of eliminating forced labour and had raised the possibility of resigning from the ILO. However, the door to dialogue should remain open. The Governing Body should review the issue at its March 2006 session, and decide whether to put the issue on the agenda of the 95th Session of the Conference to consider further steps that might be taken to accomplish the objective.
- 131.** *A Government representative of Japan* stressed that Myanmar had to ensure the safety of the ILO Liaison Officer and investigate publicly the threats made against his life; Myanmar nationals should have free access to the Liaison Officer; this Officer should have access, as and when necessary, to a focal point in the military for forced labour issues, and should be able to travel with sufficient freedom in the country. There had been some developments: the threats against the Liaison Officer had ceased in August 2005. This, although a return from minus to point zero, was important, since it was through the Liaison

Officer that the problem could be viewed by the Governing Body. The decision by the authorities, as reported by the Ambassador, to remain in the system and cooperate with the ILO was also welcome but a meaningful dialogue should be reopened if the required tangible results were to be forthcoming.

132. *A Government representative of Cuba* noted that it was the vocation of the ILO to act as a forum for dialogue among its constituents. Dialogue and cooperation had proved the most effective tools to resolve problems; sanctions only served to aggravate difficult situations in underdeveloped countries, the victims of centuries of colonial and neo-colonial pillaging. The Government of Myanmar had demonstrated the political will to comply with Convention No. 29, and the Governing Body should strengthen its technical cooperation and dialogue with Myanmar, rather than impose sanctions.
133. *A Government representative of India* welcomed the statement by the Ambassador of Myanmar reiterating the Government's willingness to continue in its efforts to eradicate forced labour in the country and to explore every avenue of cooperation with the ILO to do so. Dialogue and technical cooperation should be promoted to carry the process forward.
134. *A Government representative of Australia*, speaking also for New Zealand, recalled joint statements that the two Governments had frequently made, urging the Government of Myanmar to fulfil its commitments to the ILO. In its response, the Government of Myanmar had regularly accused the ILO of bias and had played down the importance of the use of forced labour in the country. The present reports reinforced the need for concrete and credible action by the Government. Australia and New Zealand were concerned at the increased travel restrictions on UN representatives, including the Liaison Officer *ad interim*. The authorities should urgently conduct an investigation into the threats made to the Liaison Officer and informal facilitator, and punish those responsible. The two Governments deplored the further sentence imposed on U Aye Myint, called on the authorities to review favourably the case of Su Su Nwe, and urged them to take action to address the recommendations of the vHLT and the original Commission of Inquiry.
135. At the meeting of the Committee on the Application of Standards in June 2005, and in a letter to the Director-General of 21 May 2005, the Government had referred to a new approach to forced labour. So far, this had not materialized. Indeed, the lack of progress made was disappointing. The Government should cooperate fully with the ILO and its representatives so that a stage could be reached allowing implementation of the plan of action, including the establishment of the facilitator to enable citizens of Myanmar to lodge legitimate complaints of instances of forced labour without fear of retribution. Australia and New Zealand supported calls made by other governments for the issue of forced labour in Myanmar to be revisited in 2006.
136. *A Government representative of Belarus* condemned any recourse to the use of forced labour. Constructive dialogue and technical cooperation should be maintained with Myanmar. The ILO should analyse the situation further and, in collaboration with the Government, prepare a proposal to submit to the Governing Body outlining other solutions to the problem.
137. *A Government representative of the Republic of Korea* noted the statement by the Ambassador of Myanmar in respect of the measures taken to ensure the safety of the Liaison Officer *ad interim*, and of the Government's intention to continue cooperating with the ILO. The Government should make further progress towards fulfilling the recommendations made at the 93rd Session of the Conference (2005). It was important that the ILO maintained a presence in Myanmar.

138. *A Government representative of Sri Lanka* welcomed the commitment by the Government to observe Convention No. 29 and called on the ILO and the Government to continue the process of dialogue and cooperation to resolve all outstanding issues.
139. *A Government representative of the Netherlands* endorsed the statement made on behalf of the EU. A meeting, organized by the Government of the Netherlands, had been held on 3 November 2005 in The Hague in response to the Director-General's letter of 15 July to examine Netherlands-Myanmar relations, and consider how the Government could reinforce its policy of discouraging Netherlands trade and investment in the country. The meeting was attended by representatives of Government, Employers, Workers and of non-governmental organizations and resulted in a concrete range of actions to implement the policy. Other countries might find this approach useful as well.
140. *A Government representative of the Russian Federation* said that the situation in Myanmar could only be resolved through cooperation and that all efforts should be made to maintain contacts between the ILO and the Government.
141. *The Chairperson* read out the following conclusions which had been approved by the Employer and Worker Vice-Chairpersons.

Governing Body conclusions:

142. *In the light of the documents before the Governing Body and after listening to the Ambassador of Myanmar, the Governing Body had a thorough exchange about developments.*
143. *There was a general feeling of grave concern about the degradation of the situation which these developments – including the most recent condemnation of Aye Myint, the situation of Su Su Nwe and other individual cases raised during the discussion – reflected. It was also one of firm rejection of what appeared as attempts to influence the ILO's position through various forms of pressures and intimidation, including that of withdrawal, in contradiction with the commitment that the Authorities had consistently pledged to the eradication of forced labour in cooperation with the Organization.*
144. *Members of the Governing Body were particularly concerned and critical about the threats which have been made against the Liaison Officer ad interim as well as to the former Acting Liaison Officer and Informal Facilitator (Mr. Léon de Riedmatten), following a public campaign against the ILO and which resulted in paralysing his capacity to discharge his responsibilities. The Governing Body reiterated its full confidence and support for the Liaison Officer of the ILO. The authorities of Myanmar were urgently requested to guarantee full exercise of his functions. They were also earnestly warned about the responsibility they would have to bear under international law for any consequence that could result from their attitude.*
145. *A number of Members were of the view that, as already contemplated by the International Labour Conference in its conclusions last June, the only way which was left to the Organization, in light of the further very disturbing developments which had taken place, was to enable the Conference itself to revisit the measures adopted in the 2000 International Labour Conference resolution under article 33 of the Constitution, by placing a specific item for that*

purpose on its 2006 agenda in order to review and, as appropriate, to strengthen them.

- 146.** *However, taking into account the willingness expressed by the Ambassador to cooperate and the fact that any step relating to action by the Conference would, in any case, need to be reconfirmed at its next session, the Governing Body, firstly, requested the Government at various levels, including the senior leadership, to take advantage of the time available between now and March 2006 to resume an effective dialogue with the Office. Secondly, it was understood, however, that to be meaningful, any future dialogue which the Office would conduct with the Government should be based on the mandate provided by the conclusions of the International Labour Conference. Thirdly, the dialogue would also have to address the issues and cases raised in the present debate and conclusions. Fourthly, the authorities should, in the meantime, cease prosecuting victims of forced labour or their representatives and instead should take action against the perpetrators.*

Seventh item on the agenda

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

338th Report (GB.294/7/1)

- 147.** *The Reporter* said the Committee had noted 128 pending cases, of which 40 were examined on their merits. Certain principles relating to a number of cases were discussed, in particular regarding the right to strike. It was agreed that this dialogue should be continued, and the Committee members expected to consult informally as to how to proceed, prior to the March Governing Body session.
- 148.** Urgent appeals were made in respect of Canada (Cases Nos. 2314 and 2333), Guatemala (Case No. 2397), Nicaragua (Case No. 2394) and Uruguay (Case No. 2270), as none of the governments concerned had conveyed complete observations regarding these complaints.
- 149.** Forty-four cases were examined in which governments had kept the Committee informed of measures taken to give effect to its recommendations, and 12 were noted with satisfaction or interest. In Case No. 2182 on Canada in the Province of Ontario, the Government followed the Committee's recommendation in repealing legislation that encouraged the decertification of workers' organizations. In Case No. 2347, on Mexico, the Committee noted that the Trade Union of Associated Football Players of Mexico had been registered, as it had recommended.
- 150.** The Committee drew the Governing Body's special attention to Case No. 2374, on Cambodia. The case concerned serious anti-union discrimination, and the Committee urged the Government to ensure, in cooperation with the employer, that those dismissed for exercising their legitimate trade union activities were reinstated forthwith without loss of wages. If an independent judicial body deemed reinstatement impossible, the workers should be paid adequate compensation and the employers given dissuasive sanctions to discourage such anti-union action. Trade union rights should be protected by efficient procedures, and workers subject to anti-union discrimination should have access to procedures leading to final and binding arbitration.

- 151.** In Case No. 1787 on Colombia, the Committee took note of the oral report on the high-level tripartite visit to Colombia from 24 to 29 October 2005, on the invitation of Government. The mission had been composed of the Chairperson of the Committee on Freedom of Association and the Employer and Worker Vice-Chairpersons of the Committee on the Application of Standards, and had centred principally on the issue of impunity and on labour relations in Colombia. A full report would be made to the Committee in March 2005. Case No. 2068 on Colombia concerned the murder of four trade union officials, denial of trade union leave, violation of collective agreements in certain enterprises and dismissal of trade unionists. No new information had been provided regarding the murders, and the Committee urged the Government to identify and punish the perpetrators. In Case No. 2363, on Colombia, allegations were made of denial of trade union registration, and of refusal to negotiate and grant trade union leave in public service unions. The Committee requested the Government to rectify this immediately, in accordance with Conventions Nos. 87 and 98, both ratified by Colombia.
- 152.** Case No. 2387, on Georgia, concerned government interference in the affairs of the Georgian Trade Union Amalgamation, including a series of measures to force the union to turn over its property to the State. The Government had not replied to these allegations, and the Committee urged it to be more cooperative in future. The Government should return all seized trade union documents and enter into negotiations with the trade unions concerned to settle the issues through constructive dialogue.
- 153.** The Committee examined two cases brought by employers' organizations, Case No. 2359 on the Republic of Moldova and Case No. 2375 on Peru. In respect of the Republic of Moldova, the Committee noted possible inequalities in the fiscal treatment of trade union dues and employers' organizations' dues. The Government was invited to review the fiscal code, in consultation with the social partners, to find a solution along the lines proposed in the recommendations of the Sixth European Regional Meeting (Geneva, 2000). If fiscal discrimination was found, the Government should consider tax regulations allowing deductibility of employers' membership fees.
- 154.** The case on Peru concerned restrictions placed on the level of bargaining in the construction sector. The Committee requested the Government to amend its legislation covering this sector to allow the bargaining level to be determined by the parties or, if it was determined by a body external to the parties, then that body must be truly independent. The Committee suggested that the Government invite the most representative employers' and workers' organizations to establish a mechanism to resolve conflicts related to the level of bargaining. This case raised a similar matter to that in Case No. 2326 on Australia, in which the Committee recommended that the Government took steps to revise the recent Building and Construction Industry Improvement Act, 2005, to ensure that the level of bargaining was left to the parties, and not imposed by law or other administrative decision. The Committee invited the Government to consult further with the representative employers' and workers' organizations in considering amendments to the legislation.
- 155.** In respect of the article 26 complaint against the Government of the Bolivarian Republic of Venezuela, the Committee recommended that a direct contacts mission should be sent to the country, before deciding on what action to take on the complaint.
- 156.** *The Employer spokesperson* said that key issues of concern for the Employers remained the definition of the right to strike, essential services, reinstatement, the inflexibility of the Committee's application of principles and important lacunae in respect of procedures. The Employers repeated their reservations on the right to strike, and the definition of essential services in Cases Nos. 2373 on Argentina, 2068 and 2363 on Colombia, 2364 on India, and 2348 on Iraq. In order to complete its work, however, the Committee agreed to review the fundamental concerns raised by the Employers at the March session of the Governing

Body, initially in employer/worker informal discussions, and subsequently with the involvement of Governments. A number of cases had clarified areas that were important to employers. Among these, the principle and importance of economic-driven restructuring within the business environment was dealt with in Case No. 2392 on Chile. In Case No. 2359 on the Republic of Moldova the Committee recognized the need to ensure favourable fiscal arrangements for employers' membership contributions. In Case No. 2375 on Peru, the Committee confirmed the employers' ability to choose the level of bargaining. In Cases Nos. 2402 on Bangladesh, and 2407 on Benin, the Committee recommended that due regard should be paid to court proceedings under way when independent investigations were called for.

- 157.** Regarding the article 26 complaint lodged against the Bolivarian Republic of Venezuela, the Employers agreed to a proposal for a direct contacts mission to the country, but on condition that the possibility of a commission of inquiry remained on the agenda.
- 158.** In Cases Nos. 2352 on Chile, and 2329 on Turkey, the Employers had argued that the Committee should not be used to consider matters, even if indirectly against companies, by referring to the name of the company in the case.
- 159.** In Cases Nos. 2376 on Côte d'Ivoire, and 2348 on Iraq, it was recognized that the internal events taking place in the countries could challenge the Government's participation in the Committee on Freedom of Association process.
- 160.** Case No. 2366 on Turkey addressed the conflict between the trade union statutes and the Turkish Constitution. The Employers had stressed the importance of recognizing the sovereignty of a national constitution.
- 161.** In Case No. 2326 on Australia, the Employers would continue to argue that governments should be allowed adequate opportunity to respond to allegations raised by complainants. If they were not, then it would lead to hasty inferences, incorrect and unfair assumptions being made. The Committee on Freedom of Association remained an important committee for the Employers' group, which looked forward to entering into a discussion with the serving members of the Committee to ensure its continued relevance and impact.
- 162.** *The Worker spokesperson* referred to comments that had been made regarding the repetitive nature of the presentations of the Committee on Freedom of Association report. He recalled that the proceedings of the Committee were private, that the report was long and had only been in the Governing Body members' hands for two days, and that it concerned principally violations of workers' fundamental rights. For these reasons it was necessary to stress the Committee's recommendations. The Workers' group did all it could to disseminate the findings of the Committee on Freedom of Association, but it needed more support from the Office, which was insufficiently active in this domain.
- 163.** Case No. 2374 on Cambodia, was extremely serious and urgent, and the Government had so far failed to reply. Some 297 workers had been dismissed following legitimate strike action. Tripartite arbitration decided the dismissals were illegal, but the management regarded this decision as non-binding. The company had proceeded to organize unlawful elections of worker delegates and had signed a collective agreement with the newly elected group, bypassing the union. The Government had not acted, even to uphold existing legislation on protection of workers' rights against management interference. The Committee requested the Government to ensure reinstatement of workers or, where this was found impossible by an independent body, the workers should receive adequate compensation, and the employers be given sanctions sufficient to discourage anti-union behaviour of this type. The Government should end the practice of a management-

controlled union at the Phnom Penh Raffles Hotel and secure effective and binding decisions when workers suffered anti-union practices.

- 164.** In Case No. 2068 on Colombia, the Committee deeply regretted that no new information had been supplied by the Government regarding the investigations into the murders of four trade union leaders. The perpetrators of these crimes should urgently be identified and punished. In Case No. 2239 on Colombia, 100 unionized workers had been dismissed and replaced with contracted workers from cooperatives, who were denied the right to organize. The Government was not fulfilling its obligations under Convention No. 87 or under the Promotion of Cooperatives Recommendation, 2002 (No. 193), and the Committee recommended that it should accept technical assistance. The Workers' group also looked forward to a fuller written report on the tripartite ILO mission to Colombia at the next session of the Committee.
- 165.** Case No. 2326 on Australia showed that the Government had introduced a number of anti-union measures in the building sector. The case also revealed further intended action against free collective bargaining in Australia, covering the whole labour market. The Committee requested the Government to amend the legislation and promote collective bargaining, in line with its obligations under Convention No. 98.
- 166.** In Case No. 2387 on Georgia, the Government had failed to reply, despite the fact that a similar case on Georgia, No. 2144, had been dealt with in March 2003. The present case concerned serious anti-union harassment by the Government in an attempt to seize trade union assets. The Government should engage the participation of the social partners on changes in the labour legislation, and consult with the union in question to resolve the issue of seizure of property.
- 167.** In Case No. 2252 on the Philippines, the Government had supplied no further information concerning the 227 dismissed trade union members and officers, and still refused to negotiate with the Toyota Motor Philippines Corporation Workers' Association (TMPCWA). This union's case for recognition had been before the courts for years, while the allegedly company-controlled union had been immediately certified by the Ministry of Labor. Moreover, the Committee reminded the Government that it should amend article 263(g) of the Labour Code concerning the right to strike.
- 168.** Case No. 2329 on Turkey, concerned the Government's systematic practice of ending strikes by imposing compulsory arbitration, invoking threats to national security as a reason. This had been done in 2003 in respect of a strike in the glassware industry, and now again in a strike in the tyre industry, involving three multinational companies: Goodyear, Bridgestone and Pirelli. Workers' interests were being sacrificed by the Government to attract foreign direct investment. The Committee recommended changes in the legislation to ensure that an independent body, with the confidence of both parties concerned, had the authority to suspend strikes, and not the Government. In Case No. 2303, the Turkish Government was requested to lower the union representation level required to be allowed to bargain collectively, amending section 12 of Act No. 2822. In respect of Case No. 2200, the Committee regretted that the Government continued to ignore its recommendation concerning anti-union discrimination faced by the Confederation of Public Employee's Trade Unions (KESK) in the Turkish Telecom Company and in the Office of Agricultural Products.
- 169.** In Case No. 2378 on Uganda, the Sri Lankan company Apparel Tri-Star Limited sacked 1,900 workers and rehired 1,607 of them the next day, forcing them to accept short-term contracts. Some 293 workers were dismissed without pay. The Committee welcomed the Government's efforts to have the Uganda Textiles, Garments, Leather and Allied Workers'

Union recognized, and to investigate the dismissals and order reinstatement or severance benefits in the case of the 293 dismissed workers.

- 170.** In Case No. 2348 on Iraq, the Committee requested the Government to amend Decree No. 16 of 28 January 2004, which imposed a trade union monopoly, by recognizing the Iraqi Federation of Workers' Trade Unions as the only legitimate trade union in the country. The Government was also requested to review the law of 1987 which banned the right to strike in public enterprises. The legislation should be amended to make such banning possible only in cases where public enterprises provide strictly essential services.
- 171.** The Government of Pakistan was again requested, in respect of Case No. 2399, to bring the national legislation into line with Conventions Nos. 87 and 98 on freedom of association. The workers of the Liaquat National Hospital Workers' Union were denied the right to organize, and were severely harassed in their union efforts, because the hospital was regarded as a charitable institution. The Committee recommended that the Government accept technical assistance from the ILO.
- 172.** In Case No. 2186 on China (Hong Kong Special Administrative Region), the Committee again requested the Government to adopt legislation, including dissuasive sanctions, prohibiting interference in workers' organizations. The case concerned anti-union practices at Cathay Pacific Airways. In Case No. 2253, concerning the same Hong Kong Special Administrative Region, the Committee reminded the Government of its obligation under Convention No. 98, applicable in the Hong Kong Special Administrative Region, to promote voluntary negotiations between employers' and workers' organizations. Legislation should also provide for the right for public sector workers not engaged in the administration of the State to organize and bargain collectively.
- 173.** The Committee was pleased to note successes on the promotional level, where governments had acted in response to its recommendations. In Case No. 2182 on Canada, (Ontario), the Government had repealed legislation which encouraged the certification of workers' organizations; in Case No. 2316 on Fiji, the Government had enacted legislation supporting trade union rights; in Case No. 2330 on Honduras, a lawsuit intended to suspend the legal personality of two trade unions had been abandoned; in Case No. 2229 on Pakistan, the Government intended to amend several provisions of the legislation.
- 174.** The Workers' group deplored the lack of replies from governments, which greatly delayed the Committee's work. Case No. 2364 on India was a particular example of this, and the Government should be more cooperative in future. The group supported the reporter's statement, and recommended that the Governing Body adopt the report.

Governing Body decision:

- 175.** *The Governing Body took note of the introduction to the report in paragraphs 1 to 345 and adopted the Committee's recommendations in paragraphs 358 (Case No. 2302: Argentina); 384 (Case No. 2373: Argentina); and 408 (Case No. 2326: Australia).*
- 176.** A Government representative of Australia noted that Case No. 2326 concerned a complaint against the Government by the Australian Council of Trade Unions (ACTU) in respect of the Building and Construction Industry Improvement Act, 2005. The Government had sought a deferral of the case to allow it to respond to a second submission received from the ACTU on 13 October 2005, which contained factual errors and, in the Government's view, some questionable assertions. Because the Committee on Freedom of Association had chosen not to wait, it had provided the Governing Body with a report lacking the benefit of the Government's response to the latest ACTU submission. This was a failure of

process, particularly regrettable at a moment when the ILO's supervisory machinery was under review. The Australian Government was currently preparing a reply to the ACTU complaint, displaying the local and national context and demonstrating that national legislation was in harmony with the international labour standards to which the country was party.

- 177.** *An Employer member from Australia*, speaking on behalf of Australian Employers, stressed that this case concerning the terms of recently enacted legislation had to be seen against national circumstances. The new laws had been upheld by an independent commission of inquiry. Australian Employers also felt that the Committee on Freedom of Association should have waited to allow the Government time to reply to the most recent complaint. Without this reply, the Committee's conclusions were of restricted value. Within the context of national circumstances, the new legislation contributed positively to law and practice upholding freedom of association and the right to collective bargaining.
- 178.** *The Worker spokesperson* pointed out that the original complaint dated from 10 March 2004, and that Committee on Freedom of Association procedures needed to be rapid, and that the fundamental principles of freedom of association could not be waived because of certain specific circumstances, or in certain sectors or with regard to the level of development.

Governing Body decision:

- 179.** *The Governing Body adopted the Committee's recommendations in paragraphs 457 (Case No. 2326: Australia); 470 (Case No. 2402: Bangladesh); and 493 (Case No. 2407: Benin).*
- 180.** *A Government representative of Cambodia* informed the Governing Body that the Ministry of Labour and Vocational Training of the Kingdom of Cambodia had sent a letter in respect of Case No. 2374 to the ILO Director of the International Standards Department indicating that a collective agreement had been reached and signed by the social partners. All workers had returned to work.

Governing Body decision:

- 181.** *The Governing Body adopted the Committee's recommendations in paragraphs 511 (Case No. 2374: Cambodia); 535 (Case No. 2382: Cameroon); 603 (Cases Nos. 2343, 2401, 2403: Canada); 644 (Case No. 2352: Chile); 681 (Case No. 2392: Chile); 711 (Case No. 2068: Colombia); 737 (Case No. 2363: Colombia); 755 (Case No. 2384: Colombia); 821 (Case No. 2385: Costa Rica); 834 (Case No. 2376: Côte d'Ivoire); 869 (Case No. 2387: Georgia); 890 (Case No. 2298: Guatemala); 942 (Case No. 2341: Guatemala); 958 (Case No. 2361: Guatemala); 983 (Case No. 2364: India); 998 (Case No. 2348: Iraq); 1023 (Case No. 2391: Madagascar); 1056 (Case No. 2404: Morocco); 1073 (Case No. 2398: Mauritius); 1085 (Case No. 2350: Republic of Moldova); 1099 (Case No. 2264: Nicaragua); 1113 (Case No. 2275: Nicaragua); 1154 (Case No. 2378: Uganda); 1174 (Case No. 2399: Pakistan); 1186 (Case No. 2342: Panama); and 1210 (Case No. 2248: Peru).*
- 182.** *A Government representative of Peru* confirmed his Government's support for the work of the Committee on Freedom of Association. The authorities would duly examine the Committee's conclusions with respect to Peru; the Government wished to continue to cooperate fully with the Committee and the ILO and would continue to supply timely reports.

Governing Body decision:

- 183.** *The Governing Body adopted the Committee's recommendations in paragraphs 1257 (Case No. 2386: Peru); 1283 (Case No. 2329: Turkey); and 1305 (Case No. 2366: Turkey).*
- 184.** *A Government representative of the Bolivarian Republic of Venezuela, referring to Case No. 2254, which concerned his country, recalled that his Government had supplied additional information to the Committee, which was contained in Appendix V to the Committee's 338th Report. This information showed that a process of dialogue had begun at the end of 2004, with the participation of the Venezuelan Federation of Chambers of Commerce (FEDECAMARAS), and that this process had accelerated since August 2005, following the renewal of the FEDECAMARAS executive body. The discussions had been wide-ranging, constructive and fruitful. The executive of FEDECAMARAS had held high-level meetings with the President and Vice-President of the Republic and with several cabinet ministers. The process had involved recent and decisive efforts in the field of labour legislation, in other labour-related areas, and in employment stability. Given this ongoing process, and the ample information supplied by the Government, it was not the moment to follow the Committee's recommendation to send a direct contacts mission to the country. The Governing Body should give a vote of confidence to the process of meeting, dialogue and understanding. The Government believed that the circumstances did not require an article 26 procedure involving a direct contacts mission, particularly as the present dialogue aimed to leave behind the events of 2002 and 2003, a spirit shared by the various employers' and workers' organizations participating and, in particular, by FEDECAMARAS.*
- 185.** *A Government representative of Honduras, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), recalled that it had not been possible to consider this case during the 292nd (March 2005) Session of the Governing Body, since all the members of the Employers' group of the Committee on Freedom of Association were parties to the complaint against the Bolivarian Republic of Venezuela. It had therefore been necessary to defer consideration of the complaint until after the Governing Body elections in June 2005 at which time the composition of the Committee would be renewed.*
- 186.** *GRULAC now believed that this question had been sufficiently discussed, and the Governing Body should decide that there was no need for a direct contacts mission and close the article 26 procedure. GRULAC agreed that the arguments formulated in this complaint brought no new elements into consideration. The case had given rise to a duplication of procedures, involving wasteful use of ILO resources. In this connection, GRULAC wished to draw the Governing Body's attention, as at the 291st and 292nd Sessions to the persistent and unnecessary duplication of procedures during a direct contacts mission in 2004.*
- 187.** *Finally, GRULAC believed that the Government of the Bolivarian Republic of Venezuela, besides having received two direct contacts missions in less than three years, had clearly demonstrated an increase in democratic practices and a widening of social dialogue with employers' and workers' organizations, both at grass-roots and at executive level, without any sort of exclusion and in full recognition of the diverse parties concerned. This climate of understanding had been demonstrated repeatedly in meetings with the highest government authorities, including the President and Vice-President of the Republic, and various ministers and the executive of FEDECAMARAS, particularly since the renewal of the latter. This had contributed to a rapid economic upturn in the country, with growth for 2004 at 17 per cent, and 9 per cent forecast for 2005, while unemployment had dropped from 21 per cent in 2003 to less than 12 per cent in under two years. This had been accompanied by increased social spending aimed at reducing poverty and promoting*

decent work, as had been acknowledged by important specialized international agencies. The Bolivarian Republic of Venezuela could continue to supply the Committee with information and the article 26 procedure should be terminated.

Governing Body decision:

188. *The Governing Body adopted the Committee's recommendations contained in paragraph 1312 (Case No. 2254: the Bolivarian Republic of Venezuela).*

189. *The Employer Vice-Chairperson* said his group had just been informed by FEDECAMARAS that there appeared at present a real possibility of dialogue between the Government and the employers. The Venezuelan employers did not wish to miss this opportunity for dialogue and for strengthening the confidence between the parties to find solutions to all the problems, including those raised in the proceedings under way in the ILO. FEDECAMARAS therefore wished to do all possible to reinforce the climate of trust, respect and collaboration with the government authorities, and had consequently asked the Employers' group to request the Governing Body not to consider the Committee on Freedom of Association recommendation to send a direct contacts mission to the country at the present session, to allow solutions to be found at national level.

190. On this understanding, the group called on the Governing Body to support the present efforts at dialogue and not to send the direct contacts mission provided for under paragraph 1312 for the moment. Both parties should keep the ILO fully informed in the meantime.

191. *The Worker spokesperson* expressed the group's satisfaction at the information provided by the Government of the Bolivarian Republic of Venezuela. Nevertheless, a decision to send a direct contacts mission had been taken and should be upheld. However, in the light of the new information and developments, the timing of such a mission could be reviewed, without calling the decision itself into question.

*339th Report
Measures taken by the Government of the Republic of Belarus to implement
the recommendations of the Commission of Inquiry
(GB.294/7/2)*

192. *The Reporter* said that the Committee had examined information provided by the Government, the International Confederation of Free Trade Unions (ICFTU) and a number of Belarus trade unions. It was deeply regretted that virtually no concrete measures had been taken by the Government to give effect to the recommendations of the Commission of Inquiry. The Government had not yet been able to receive the mission proposed by the Committee on the Application of Conventions and Recommendations, with a view to assisting in drafting legislative amendments and evaluating government action. The Committee once again urged the Government to fully implement the Commission's recommendations.

193. *A Government representative of Belarus* said that Belarus was in the process of improving the labour legislation in the country and its application. A body had been established to improve the legislation and social and labour-related matters, composed of employers' and workers' organizations, government officials and academics. The Federation of Trade Unions of Belarus was represented, along with members of the Congress of Democratic Trade Unions which did not belong to the Federation. This body had held its first meeting, at which it had considered the development of national labour legislation, and had examined ways in which the legislation governing trade unions might be improved. Belarus was party to ILO Conventions Nos. 87 and 98. In a spirit of cooperation, the Government had resolved the question of the ILO mission to Belarus: the ILO experts

would come to Minsk from 16 to 19 January 2006. The Government hoped that this mission would be of real assistance to a member State in its efforts to promote decent work and freedom of association, and that the mission would obtain an objective vision of respect for trade union rights in Belarus. Respect for these rights, as set out in Convention No. 87, was a priority for the Republic of Belarus, and the Government had engaged a dialogue with the social partners, as well as its interaction with the ILO. These initiatives would certainly improve social dialogue in the country.

- 194.** *The Worker spokesperson* said his group was concerned as to whether the Government of Belarus had any intention of following the recommendations of the Commission of Inquiry. The Governments that elected Belarus to the Governing Body should seriously consider the wisdom of their action. Trade unions were unable to register, labour legislation was not amended, no independent body had been established to investigate complaints of violations of trade union rights, and no investigations had been undertaken into cases of anti-union discrimination. The Committee specifically requested the re-registration of the Belarus Trade Union of Workers in the Radio and Electronics Industry, Automobile and Agricultural Machinery Workers' Union (REAAMWU), and for the registration of the Belarussian Free Trade Union (BFTU), and urged the Government not to introduce proposed changes in the legislation governing the termination of trade union representativeness. The Government had not informed its people of the recommendations made by the Commission of Inquiry, although this had been among the recommendations. The Workers' group expected governments and international organizations to take due note of the failure of Belarus to cooperate with the ILO.
- 195.** *The Employer Vice-Chairperson* urged the Government of Belarus, in the face of problems of such importance, to implement the recommendations of the Commission of Inquiry without delay.

Governing Body decisions:

- 196.** *The Governing Body adopted the Committee's recommendations as follows:*
- (a) *The Committee urges the Government to fully cooperate in the future with the procedure established for supervising the measures taken for the implementation of the recommendations of the Commission of Inquiry, including by furnishing full replies to all the matters raised.*
 - (b) *The Committee urges the Government to provide detailed information on the steps taken to ensure that each of the remaining primary-level organizations is immediately registered and that workers in those enterprises where the primary-level organization has been wound down are rapidly and duly informed of the right to form and join organizations of their own choosing without interference and that the registration of any such newly created organizations is rapidly effectuated.*
 - (c) *The Committee urges the Government to take the necessary measures immediately for the registration of the REAAMWU to be restored and to ensure that all their separately affiliated organizations may remain affiliated to the newly merged organization. The Committee further requests the Government to establish an independent investigation into the allegations that the non-registration of primary organizations has led to the denial of registration of three regional organizations of the Belarussian Free Trade Union (BFTU) (organizations in Mogilev, Baranovichi and Novopolotsk-Polotsk) and to take the necessary measures to ensure the registration of the*

primary organizations of the BFTU which had been denied registration so that the regional organizations may once again be registered.

- (d) The Committee urges the Government to take measures immediately to amend Decree No. 2 and its rules and regulations so as to eliminate the obstacles caused by the legal address requirement and by the 10 per cent minimum membership requirement at enterprise level. It further requests the Government to take the necessary measures to disband the Republican Registration Commission.*
- (e) The Committee urgently requests the Government to make a public declaration condemning interference in trade union affairs and to issue instructions to the Prosecutor-General, Minister of Justice and court administrators to thoroughly investigate complaints of interference. The Committee further requests the Government to publish the conclusions and recommendations of the Commission of Inquiry fully at national level.*
- (f) The Committee urges the Government to establish immediately an independent body having the confidence of all parties concerned to investigate the allegations raised since the publication of the Commission's report and to keep it informed of the outcome.*
- (g) The Committee requests the Government to transmit the letter sent to enterprise managers and directors explaining provisions of national law and international labour standards defining principles of interaction of social partners and prohibiting acts of interference and to indicate the addressees, as well as the enterprises to which it was sent.*
- (h) The Committee urges the Government to institute immediately independent investigations into all the outstanding complaints of anti-union discrimination. As regards the situations of Messrs. Gaichenko, Dukhomenko, Obukhov, Shaitor, Stukov, Marinich, Dolbik and Sherbo, the Committee urges the Government to take the necessary measures to ensure that they are reinstated in their posts with full compensation for lost wages and maintenance of their acquired rights.*
- (i) The Committee requests the Government to indicate the measures taken to implement the recommendations made by the United Nations Special Rapporteur on the independence of judges and lawyers.*
- (j) The Committee urges the Government to take the necessary measures immediately to amend Decree No. 24 so as to ensure that workers' and employers' organizations may effectively organize their administration and activities and benefit from assistance from international organizations in conformity with Articles 5 and 6 of the Convention. The Committee further requests the Government to reply to the allegations that a draft law on political parties and public associations foresees the compulsory dissolution of associations if they violate the rules on the use of foreign gratuitous aid.*
- (k) The Committee urges the Government to take the necessary measures immediately to amend the law on mass activities (as well as Decree No. 11 if*

it has not been repealed) so as to bring it in line with the right of workers' and employers' organizations to organize their activities.

- (l) *The Committee urges the Government to put aside any proposals to amend the law on trade unions and to take steps directly to invite the Congress of Democratic Trade Unions (CDTU) to participate in the National Council for Labour and Social Issues (NCLSI).*
- (m) *The Committee urges the Government to provide detailed information on all the measures taken in respect of each of these recommendations and to reply to the allegations made by the ICFTU and certain Belarusian trade unions, in particular in respect of the recent Decree No. 460 on international technical assistance rendered to Belarus, as well as the amendments to the Rules of the Ministry of Justice on Registration of Political Parties, Trade Unions and other Public Associations of 14 March 2005.*

197. The Governing Body adopted the 338th and 339th Reports of the Committee on Freedom of Association in their entirety.

Eighth item on the agenda

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

*First report: Financial questions
(GB.294/8/1(Rev.))*

*Programme and Budget for 2005-06: Regular budget account
and Working Capital Fund*

Governing Body decision:

- 198. The Governing Body decided to delegate its authority under article 16 of the Financial Regulations by requesting the Director-General to submit proposals for any necessary transfers within the 2004-05 expenditure budget to the Chairperson for his approval, prior to the closing of the biennial accounts, subject to confirmation of such approval by the Governing Body at its 295th Session (March 2006).** (GB.294/8/1(Rev.), paragraph 18.)

Voluntary contributions and gifts

- 199. The Governing Body took note of this part of the report.** (GB.294/8/1(Rev.), paragraphs 19-23.)

*Financial questions relating to the International Institute
for Labour Studies*

Governing Body decision:

- 200. The Governing Body endorsed the programme and approved the budget for the International Institute for Labour Studies for 2006-07 as set out in the earlier paper submitted to the Committee.** (GB.295/8/1(Rev.), paragraph 26.)

International Training Centre of the ILO, Turin

- 201. The Governing Body took note of this part of the report.** (GB.294/8/1(Rev.), paragraphs 24-35.)

Proposed 2006-07 budgets for extra-budgetary items

Governing Body decision:

- 202. The Governing Body approved the proposed 2006-07 income and expenditure budget for the International Occupational Safety and Health Information Centre extra-budgetary account, as set out in detail in the appendix to document GB.294/PFA/5/1.** (GB.294/8/1(Rev.), paragraph 45.)

*Inter-American Research and Documentation Centre
on Vocational Training (CINTERFOR)*

Governing Body decision:

- 203. The Governing Body approved the proposed 2006-07 income and expenditure estimates for 2006-07 of the Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR) extra-budgetary account, as set out in Appendix I to document GB.294/PFA/5/2.** (GB.294/8/1(Rev.), paragraph 57.)

*Report of the Building Subcommittee
Report of the Information and Communications Subcommittee*

- 204. The Governing Body took note of these parts of the report.** (GB.294/8/1(Rev.), paragraphs 54-72.)

*Independent evaluation of the InFocus Programme on Social Dialogue,
Labour Law and Labour Administration (IFP/Dialogue)*

Governing Body decision:

- 205. The Governing Body requested the Director-General to take into consideration the findings and recommendations contained in the evaluation of the InFocus Programme on Social Dialogue, Labour Law and Labour Administration, as well as the deliberations, in future work on social dialogue, including programming and budgeting decisions.** (GB.294/8/1(Rev.), paragraph 97.)

*Independent Evaluation of the InFocus Programme
on Socio-Economic Security (IFP/SES)*

Governing Body decision:

- 206. The Governing Body requested the Director-General to take into consideration the findings and recommendations contained in the evaluation of the InFocus Programme on Socio-Economic Security, as well as the deliberations, in further work on socio-economic security.** (GB.294/8/1(Rev.), paragraph 106.)

*External review of the ILO's implementation of strategic budgeting
within a results-based management framework*

Governing Body decision:

- 207. *The Governing Body requested the Director-General to take into consideration the findings and recommendations contained in the review of the ILO's implementation of strategic budgeting within a results-based management framework, as well as the deliberations, in future decisions on strategic budgeting and results-based management.*** (GB.294/8/1(Rev.), paragraph 124.)

A new policy and strategic framework for evaluation at the ILO

Governing Body decision:

- 208. *The Governing Body adopted the Committee's recommendation that the Director-General apply the new evaluation policy proposed by the Office, account being taken of the comments and observations made by the Committee.*** (GB.294/8/1(Rev.), paragraph 143.)

*Use of the 2000-01 surplus
Programme and Budget for 2006-07: Technical meetings reserve*

- 209. *The Governing Body took note of these parts of the report.*** (GB.294/8/1(Rev.), paragraphs 144-160.)

Matters relating to the Joint Inspection Unit (JIU)

Governing Body decision:

- 210. *The Governing Body:***

- (a) *re-affirmed the ILO's relationship with the JIU;***
- (b) *requested the Director-General:***
 - (i) *to ensure that the Office collaborated with the JIU to develop a strong programme and satisfactory methods of work, taking into account the tripartite nature of the institution; and***
 - (ii) *to continue to submit to it, on a yearly basis, a summary of the reports and recommendations of the JIU following the receipt of comments from the CEB, it being understood that where the reports relate specifically to the ILO they should be submitted in full.*** (GB.294/8/1(Rev.), paragraph 168.)

*Other financial questions
Major repairs to the water mains at ILO headquarters*

Governing Body decision:

- 211. *The Governing Body agreed that the cost of urgent repairs to the water mains, estimated at 250,000 Swiss francs, be charged to the Building and Accommodation Fund.*** (GB.294/8/1(Rev.), paragraph 174.)

*Second report: Personnel questions
(GB.294/8/2(Rev.))*

I. Statement by the staff representative

II. Exceptions to the Staff Regulations

III. Amendments to the Staff Regulations

212. The Governing Body took note of these parts of the report. (GB.294/8/2(Rev.), paragraphs 1-3.)

Human Resources Strategy: 2006-09

Governing Body decision:

213. The Governing Body:

- (a) endorsed the revised HR Strategy, including the proposed targets and noted the associated cost implications; and*
- (b) noted that a preliminary progress report on progress in the implementation of the revised Strategy would be provided in March 2006 together with the usual statistical information, a detailed report being provided in November 2006 and annually thereafter.* (GB.294/8/2(Rev.), paragraph 47.)

Report on the International Civil Service Commission (ICSC)

Governing Body decision:

214. The Governing Body:

- (a) accepted the recommendations of the ICSC, subject to their approval by the United Nations General Assembly, on the following entitlements:*
 - (i) an increase of 2.49 per cent in the base/floor salary scale; and*
 - (ii) consequential increases in the mobility and hardship allowance and separation payments for staff in the Professional and higher categories, with effect from 1 January 2006; and*
- (b) authorized the Director-General to give effect in the ILO, through amendments to the Staff Regulations (as necessary) to the measures referred to in subparagraph (a), subject to their approval by the General Assembly.* (GB.294/8/2(Rev.), paragraph 52.)

Matters relating to the Administrative Tribunal of the ILO

(a) Statute of the Tribunal

215. The Governing Body deferred its decision on this question. (GB.294/8/2(Rev.), paragraph 58.)

(b) Judges' fees

Governing Body decision:

216. *The Governing Body decided:*

- (a) that the flat-rate fee for each case heard be increased to 4,500 Swiss francs as of 1 January 2006, this amount to be revised, where necessary, when the programme and budget is adopted; and*
- (b) that the total estimated cost of US\$24,000 be financed out of savings achieved in Part I of the Programme and Budget for 2006-07. (GB.295/8/2(Rev.), paragraph 67.)*

(c) Recognition of the Tribunal's jurisdiction by the European Telecommunications Satellite Organization

Governing Body decision:

217. *The Governing Body approved the recognition of the Tribunal's jurisdiction by the European Telecommunications Satellite Organization (EUTELSAT), with effect from the date of such approval. (GB.295/8/2(Rev.), paragraph 70.)*

(d) Recognition of the Tribunal's jurisdiction by the International Organization for Legal Metrology

Governing Body decision:

218. *The Governing Body approved the recognition of the Tribunal's jurisdiction by the International Organization for Legal Metrology (OIML), with effect from the date of such approval. (GB.295/8/2(Rev.), paragraph 73.)*

Other personnel questions: Update on staff health insurance

219. *The Governing Body took note of this part of the report. (GB.294/8/2(Rev.), paragraphs 74-75.)*

Ninth item on the agenda

REPORT OF THE COMMITTEE ON LEGAL ISSUES AND
INTERNATIONAL LABOUR STANDARDS
(GB.294/9(Rev.))

Legal questions

I. Compendium of rules applicable to the Governing Body

Governing Body decision:

220. *The Governing Body approved the Compendium of rules applicable to the Governing Body of the International Labour Office, as it figured in Appendix I of document GB.294/9(Rev.), and requested the Office to publish it without delay. (GB.294/9(Rev.), paragraph 24.)*

II. Progress in the work to adapt the Manual for drafting ILO instruments:

Oral report

III. Other legal questions

(a) Rules on voting at the Conference

(b) Request concerning complaints under article 26 of the ILO Constitution

221. The Governing Body took note of these parts of the report.
(GB.294/9(Rev.), paragraphs 25-39.)

International labour standards and human rights

*IV. 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*

Governing Body decision:

222. The Governing Body, in the light of the comments made during the discussion in the Committee on Legal Issues and International Labour Standards, approved the proposals aimed at enhancing the impact and visibility of international labour standards contained in paragraph 22 of document GB.294/LILS/4, and invited the Office to hold consultations with the tripartite constituents before the next session of the Committee on Legal Issues and International Labour Standards, also in the light of the discussion, and to prepare a progress report for the period from November 2005 to March 2006. (GB.294/9(Rev.), paragraph 90.)

V. Ratification and promotion of fundamental ILO Conventions

223. The Governing Body took note of this part of the report.
(GB.294/9(Rev.), paragraphs 91-100.)

*VI. Form for reports on the application of ratified Conventions
(article 22 of the Constitution): The Seafarers' Identity
Documents Convention (Revised), 2003 (No. 185)*

Governing Body decision:

224. The Governing Body adopted the report form on the application of ratified Conventions (article 22 of the Constitution): the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), contained in Appendix II of document GB.294/9(Rev.). (GB.294/9(Rev.), paragraph 114.)

VII. *Other questions*1. *Mapping out a strategy for possible future ILO action on working time***Governing Body decision:**

225. *The Governing Body approved the organization of a tripartite meeting of experts to review and advise on modern working-time arrangements, and requested the Office to prepare a document on the proposed agenda, composition and financial implications of the meeting with a view to its submission to the 295th Session (March 2006) of the Governing Body for decision. (GB.294/9(Rev.), paragraph 131.)*

2. *Interim report of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel:
Allegations submitted by teachers' organizations*

Governing Body decision:

226. *The Governing Body took note of the interim report of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), relating to an allegation in Japan on the non-observance of certain provisions of the ILO/UNESCO Recommendation, 1966; and authorized the Director-General to communicate the CEART report to the Government of Japan and to the All Japan Teachers and Staff Union (ZENKYO), and invite them to take the necessary follow-up action as recommended in the report. (GB.294/9(Rev.), paragraph 137.)*

3. *Agenda of the next session of the Committee on Legal Issues and International Labour Standards*

227. *The Governing Body took note of this part of the report. (GB.294/9(Rev.), paragraph 138.)*

Tenth item on the agenda

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES
(GB.294/10(Rev.))

Eighth Survey on the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy: Presentation and discussion of the draft analysis, with a view to providing an input to the formulation of the conclusion and recommendation to be discussed in March 2006

Progress in the implementation of the work programme

(a) *Update of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy*

(b) *Three subregional symposia: Oral presentation*

Preparation for the 2007 International Forum on Corporate Social Responsibility and the World of Work: Oral presentation

*Update on CSR activities of the Office outside MULTI: Oral presentations
Initial proposal for the forthcoming InFocus Initiative on CSR*

Update on international corporate social responsibility (CSR) issues and the ILO's involvement (inter alia, ISO, HCHR, Global Compact)

Governing Body decision:

228. The Governing Body:

- (a) requested the Office to prepare for the March 2006 meeting a paper outlining different options for evaluating the effect given to the MNE Declaration;*
- (b) postponed the decision on the update of the MNE Declaration until March 2006;*
- (c) requested the Office to prepare for the March 2006 meeting a paper outlining the impact and concrete lessons learned from the three subregional tripartite symposia and any proposed follow-up;*
- (d) requested the Office, in consultation with ACT/EMP and ACTRAV and the respective secretariats, to prepare a proposal for an event to mark the occasion of the 30th anniversary of the MNE Declaration, with a view to promoting the MNE Declaration as the ILO's key reference in the CSR debate;*
- (e) requested the Office to provide written updates of all CSR-related activities within and outside the Office to the Subcommittee at its March and November sessions on an ongoing basis;*
- (f) requested the Office, in consultation with ACT/EMP and ACTRAV and the Workers' and Employers' secretariats, to prepare a paper on the Office's strategy and plan of action for the InFocus Initiative on CSR for discussion and decision by the Subcommittee at its March 2006 session;*
- (g) requested the Office to prepare a paper for the March 2006 session outlining any training programmes on CSR that the ILO International Training Centre plans to develop in the next biennium.*
(GB.294/10(Rev.), paragraph 57.)

Eleventh item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY
(GB.294/11(Rev.))

I. Social protection as a productive factor

II. The impact of the ILO's engagement with the Poverty Reduction Strategy Papers (PRSPs) process

III. Implementation of the Global Employment Agenda: An update

229. *The Governing Body took note of these sections of the report. (GB.294/11(Rev.), paragraphs 8-75.)*

IV. Promoting sustainable development for sustainable livelihoods

Governing Body decision:

230. *The Governing Body requested the Office to identify areas where employment strategies and sustainable development strategies could be made mutually reinforcing, with reference to specific projects and sectors. Such efforts could include:*

- (a) the development of methodologies and approaches, such as impact assessments for integrated environmental and employment outcomes of investment plans and programmes. Such tools could include ways to strengthen social dialogue to achieve integrated employment and environmental impacts; and*
- (b) the formulation of operational programmes necessary to support sustainable development strategies that promote job creation either at the national or sectoral levels, involving constituents and social partners.*

(GB.294/11(Rev.), paragraph 109.)

V. ILO policy statement: Microfinance for decent work

Governing Body decision:

231. *The Governing Body endorsed the draft ILO policy statement which is reproduced in the appendix to document GB.294/11, on the understanding that follow-up action would be taken with the framework of the approved programme and budget together with any extra-budgetary funds that would be mobilized. (GB.294/11(Rev.), paragraph 127.)*

Twelfth item on the agenda

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES (GB.294/12(Rev.))

I. Purpose, duration and composition of sectoral meetings to be held in 2006-07

Governing Body decision:

232. The Governing Body decided that:

- (a) the purpose of the Meeting of Experts on Coal Mine Safety would be to consider and review a draft and adopt a code of practice on safety and health in coalmines and that the Meeting would last six calendar days;*
- (b) after consultation with the Employers' and Workers' groups of the Governing Body, a person from outside the Meeting should be appointed to chair the Meeting;*
- (c) the governments of Australia, China, Germany, India, Poland, Russian Federation, South Africa and the United States would be invited to nominate experts to participate in the Meeting in their personal capacity, and that the governments of Colombia, Romania, Ukraine, United Kingdom and Viet Nam would be placed on a reserve list to nominate an expert, if any of the abovementioned governments declined to do so;*
- (d) eight experts would be nominated after consultation with the Employers' group and eight after consultation with the Workers' group of the Governing Body; and*
- (e) experts from other member States might take part as observers, if they wished.*

(GB.294/12(Rev.), paragraph 15.)

II. Report of the progress in sectoral action programmes and recommendations for continuation in 2006-07

III. Report of the Sixth Session of the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death and Abandonment of Seafarers

IV. Report of the 19th Ordinary Session of the Intergovernmental Committee on the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961)

V. Tripartite Meeting on Promoting Fair Globalization in Textiles and Clothing in a Post-MFA Environment

*VI. Report of the International Symposium on the Role of Trade Unions in the
Global Economy and the Fight against Poverty*

233. The Governing Body took note of these parts of the report.
(GB.294/12(Rev.), paragraphs 16-53.)

VII. Other questions

*(a) Proposals for the convening of the Subcommittee on Wages of Seafarers
of the Joint Maritime Commission*

Governing Body decision:

234. The Governing Body approved the convening of the Subcommittee on Wages of Seafarers of the Joint Maritime Commission in the conditions described in paragraph 5 of GB.294/STM/7/1. (GB.294/12(Rev.), paragraph 58.)

(b) Revision of the International Medical Guide for Ships

*(c) Joint ILO/UNESCO Committee of Experts on the Application of the
Recommendations concerning Teaching Personnel (CEART):
Interim report on allegations submitted by teachers' organizations*

*(d) Tripartite Meeting of Experts on the ILO Multilateral Framework on
Labour Migration*

235. The Governing Body took note of these parts of the report.
(GB.294/12(Rev.), paragraphs 59-75.)

Thirteenth item on the agenda

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION
(GB.294/13)

I. The ILO's technical cooperation programme 2004-05

Governing Body decision:

236. The Governing Body requested the Director-General to:

(a) actively encourage donors to increase extra-budgetary funding to complement the regular budget in support of the implementation of the Decent Work Agenda, and in particular to strengthen decent work country programmes (DWCPs) in all regions through technical cooperation;

(b) further encourage the participation of tripartite constituents in technical cooperation programmes and activities;

(c) request the Office to continue its efforts to enhance coordination, efficiency and effectiveness of operational programmes by linking ILO DWCPs to the United Nations system and other multilateral development frameworks at country level (United Nations Development Assistance Framework

(UNDAF), Common Country Assessment (CCA), Poverty Reduction Strategy Papers (PRSPs), Millennium Development Goals (MDGs), etc.).

(GB.294/13, paragraph 61.)

*II. Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work:
Technical cooperation priorities and action plans regarding elimination
of all forms of forced or compulsory labour*

Governing Body decision:

237. *The Governing Body endorsed the action plan outlined in document GB.294/TC/2 and requested that it be kept informed, through the Committee on Technical Cooperation, of the implementation of the activities proposed.* (GB.294/13, paragraph 83.)

III. Other questions

Governing Body decision:

238. *The Governing Body took note of the concern of the Committee on Technical Cooperation and requested the Director-General to ensure that the submission of thematic evaluations of technical cooperation projects be continued at the 295th Session (March 2006) of the Governing Body, while the broader question of thematic evaluation in the overall evaluation strategy would be considered by the Committee on Technical Cooperation in March 2006.* (GB.294/13, paragraph 90.)

Fourteenth item on the agenda

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSION OF GLOBALIZATION
(GB.295/14)

*Oral report of the Chairperson of the Working Party, Mr. C. Tomada,
Government representative of the Republic of Argentina*

Governing Body decision:

239. *In taking note of the oral report of the Chairperson of the Working Party, the Governing Body endorsed his proposal that the Director-General be requested to prepare a paper for discussion in the Working Party at its March 2006 session, setting out the modalities for the holding of a globalization policy forum, as proposed in document GB.294/WP/SDG/1, paragraph 34.*

Fifteenth item on the agenda

INTERNATIONAL INSTITUTE FOR LABOUR STUDIES
(GB.294/15(Rev.))

240. *The Employer Vice-Chairperson, referring to the “Decent Work Prize”, asked for a detailed document to be presented to the March 2006 session, on the modalities of the*

Prize, which was directly linked to the image of the Organization, and on the criteria on which it would be awarded.

- 241. *The Governing Body took note of the report of the 47th Session of the Board of the International Institute for Labour Studies.*** (GB.294/15(Rev.))

Sixteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL (GB.294/16)

I. Progress in international labour legislation

- 242.** *The Worker Vice-Chairperson* expressed satisfaction that, up to February 2005, 81 ratifications and acceptances of the Instrument of Amendment of the Constitution of the International Labour Organisation, 1997, had been registered. He urged the members of the Governing Body to encourage the governments of member States to ratify this Instrument of Amendment.
- 243.** *A Government representative of China* referred to the notifications communicated by the Government of China concerning the application of Conventions Nos. 138, 142 and 160 in respect of the Hong Kong Special Administrative Region (China), and on the application of Conventions Nos. 22 and 23 in respect of the Macau Special Administrative Region (China). He asked whether the date of entry into force for these notifications was 12 months after their registration.
- 244.** *A representative of the Director-General* replied that the two cases were different. The Government of China had already, in the past, communicated notifications regarding the application of Conventions Nos. 138, 142 and 160 to the Hong Kong Special Administrative Region (China). The notifications referred to in paragraph 2 of the document modified the earlier notifications of application, such that they were effective as of the day of registration by the Director-General, that was 8 April 2004. On the other hand, the notifications regarding the application of Conventions Nos. 22 and 23 in respect of the Macau Special Administrative Region (China), referred to in paragraph 3 of the document, were the first the Government had communicated. In this case, the provisions set out in the last Articles of both Conventions applied, which stated that, after its entry into force, each of these two Conventions would come into force for other member States at the date at which its ratification had been registered by the Office. In this particular case, the Director-General had registered the notifications on 20 July 2005, and they were in effect in the Macau Special Administrative Region (China) as of that date.
- 245. *The Governing Body took note of the report.*** (GB.294/16.)

II. Internal administration

- 246. *The Governing Body took note of the information communicated in paragraphs 14 and 15 of document GB.294/16 on internal administration.*** (GB.294/16, paragraphs 14 and 15.)

*First Supplementary Report:
Appointment of an Executive Director
(GB.294/16/1)*

- 247.** *Mr. José Manuel Salazar-Xirinachs, who took up his duties as Executive Director of the Employment Sector, with effect from 15 August 2005, made and signed the prescribed declaration of loyalty before the Governing Body, as stipulated in article 1.4(b) of the Staff Regulations of the International Labour Office.*

*Second Supplementary Report:
Progress report on the draft maritime labour Convention, 2006
(GB.294/16/2)*

- 248.** *A Government representative of Nigeria said that Nigeria chaired the group of African countries of the High-level Tripartite Working Party on standards concerning maritime labour, whose responsibility it was to consolidate in a single instrument the entire body of ILO maritime Conventions. There was no doubt that this would improve the lot of seafarers. He added that, as it was foreseen that the draft maritime labour Convention would be adopted in 2006 and, given the singular position occupied by the sub-Saharan region in this industry, it was essential that many transition programmes should be put in motion before the member States of Africa would be able to ratify the Convention. He counted on the assistance of the ILO in this connection. Lastly, he thanked the European Commission for its support in contributing to financing the 94th (Maritime) Session of the ILC.*
- 249.** *The Worker Vice-Chairperson expressed satisfaction at the progress achieved in the intermediate tripartite meetings which had been held in Geneva from 21 to 27 April 2005, and in the meeting of the Drafting Committee of the Preparatory Technical Maritime Conference. He trusted that these efforts would be rewarded by the adoption of a draft maritime labour Convention. He expressed gratitude to the European Commission for its important financial contribution.*
- 250.** *A representative of the European Commission confirmed the information given in paragraph 4 of the Office document concerning the amount of the European Commission's contribution to defray the cost of the 94th (Maritime) Session of the ILC. With this gesture of support, the European Commission was taking up the promotion of the concept of decent work for all in a world in which the globalization of the economy advances daily. He trusted that, when adopted, the new Convention would make a major contribution to the task of guaranteeing decent work for seafarers around the world.*
- 251.** *A Worker representative from France welcomed the fact that the European Commission had confirmed its effective and financial participation in the 94th (Maritime) Session of the ILC. He recalled that the aim was to consolidate all existing texts in a single Convention, falling within the framework of the promotion of fundamental rights, and that this could constitute an interesting precedent.*

Governing Body decision:

- 252.** *The Governing Body expressed its appreciation to the European Commission for the financial aid it was providing towards the cost of the 94th (Maritime) Session (2006) of the International Labour Conference. (GB.294/16/2, paragraph 5.)*

*Third Supplementary Report:
Revision of the biometric standard adopted under the Seafarers' Identity
Documents Convention (Revised), 2003 (No. 185)
(GB.294/16/3)*

- 253.** *The Worker Vice-Chairperson* recalled the discussions held on the options open to the Governing Body. The choice of the biometric method had been based on the generous offers made by some governments, which had unfortunately not become concrete. He therefore called on the governments concerned to respect the engagements made. He was aware that the group appointed by the Workers' group had examined all the technical questions on the table closely. It was of concern that very few member States, while they had participated actively in the debates, had not yet ratified Convention No. 185. He called on the ILO to follow the development of this situation closely so that seafarers should not be obliged to shoulder the costs involved in the modification of the identification process, and reiterated that the governments concerned should fulfil their engagements.
- 254.** *A Government representative of Nigeria* stated that the Government of his country approved the changes indicated in the document in respect of the biometric profile for seafarers' identity documents. These changes would be communicated to the vendor recommended by the ILO to allow the necessary action to be taken.

Governing Body decision:

- 255.** *The Governing Body approved the changes to Standard ILO SID-0002 Finger minutiae-based biometric profile for seafarers' identity documents, summarized in document GB.294/16/3, on the understanding that biometric products conforming to the Standard as now worded would be considered as compliant with the Standard for a period of two years from the date of approval of the changes figuring in the document.* (GB.294/16/3, paragraph 4.)

*Fourth Supplementary Report:
Regional meetings
(GB.294/16/4)*

Governing Body decision:

- 256.** *The Governing Body decided:*

- (a) *that the Sixteenth American Regional Meeting would be held in Brasilia, Brazil, and delegated to its Officers the authority to decide the date at which the Meeting would take place, in consultation with the Government of Brazil;*
- (b) *that the Fourteenth Asian Regional Meeting would be held in Busan, Republic of Korea, from 29 August to 1 September 2006.*

(GB.294/16/4, paragraph 3.)

Seventeenth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

First report:

Representation alleging non-observance by Guatemala of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the Federation of Country and City Workers (FTCC)
(GB.294/17/1)

Governing Body decision:

- 257. *The Governing Body decided that the representation was receivable and appointed the members of the committee set up for its examination.***
(GB.294/17/1, paragraph 6.)

Second report:

Representation alleging non-observance by France of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Termination of Employment Convention, 1982 (No. 158), made under article 24 of the ILO Constitution by the General Confederation of Labour-Force ouvrière
(GB.294/17/2)

Governing Body decision:

- 258. *The Governing Body decided that the representation was receivable, appointed the members of the committee set up for its examination and referred the allegations concerning Conventions Nos. 87 and 98 to the Committee on Freedom of Association.*** (GB.294/17/2, paragraph 6.)

Eighteenth item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS (GB.294/18)

Committee of Experts on the Application of Conventions and Recommendations

Governing Body decision:

- 259. *The Governing Body, on the recommendation of its Officers, appointed the following persons as members of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years:***
- ***Mr. Mario Ackerman (Argentina): Professor at the University of Buenos Aires;***
 - ***Mr. Denys Barrow (Belize): Justice of Appeal for the Eastern Caribbean Supreme Court;***

- *Mr. Abdul G. Koroma (Sierra Leone): Judge at the International Court of Justice;*
- *Ms. Ruma Pal (India): Judge of the Supreme Court of Justice of India.*

(GB.294/18, paragraph 1.)

ILO Declaration Expert-Advisers

Governing Body decision:

- 260. *The Governing Body, on the recommendation of its Officers, reappointed Ms. Maria Cristina Cacciamali (Brazil) for a period of two years and Ms. Thelma Awori (Uganda/Liberia) for a period of one year, both as ILO Declaration Expert-Advisers.*** (GB.294/18, paragraphs 2 and 3, respectively.)

*Joint Maritime Commission
(Geneva, 23 February 2006)
30th Session*

Governing Body decision:

- 261. *The Governing Body appointed Mr. Suzuki, representative of the Employers' group, and Mr. Blondel, representative of the Workers' group, to attend the 30th Session of the Joint Maritime Commission.*** (GB.294/18, paragraph 5.)

Governing Body decision:

- 262. *The Governing Body, on the recommendation of its Officers, approved the following agenda for this meeting: Follow-up of the consolidated maritime labour Convention.*** (GB.294/18, paragraph 7.)

*Subcommittee on Wages of Seafarers of the Joint Maritime Commission
(Geneva, 24-25 February 2006)*

Governing Body decision:

- 263. *The Governing Body, having approved the convening of a meeting of the Subcommittee on Wages of Seafarers of the Joint Maritime Commission as indicated in paragraph 8 of the document, approved, on the recommendation of its Officers, the following agenda for this meeting: The Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187): The updating of the basic wage of able seafarers.*** (GB. 294/18, paragraph 10.)

*Joint ILO/IMO Ad Hoc Expert Working Group on the Fair Treatment
of Seafarers in the Event of a Maritime Accident
(IMO, London, 13-17 March 2006)*

- 264. *The Governing Body took note of this part of the document.*** (GB.294/18, paragraphs 11-13.)

*Sixteenth American Regional Meeting
(Brasilia, 2006)*²

Governing Body decision:

265. *The Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented as observers at this Regional Meeting:*

- *Caribbean Congress of Labour, Barbados;*
- *Caribbean Employers' Confederation, Port-of-Spain;*
- *Latin American Industrialists' Association, Montevideo;*
- *Latin American Central of Workers;*
- *Permanent Congress of Trade Union Unity of Latin American Workers.*

(GB.294/18, paragraph 16.)

Information notes

PROGRAMME OF MEETINGS AS APPROVED BY THE OFFICERS OF THE GOVERNING BODY
(GB.294/Inf.1)

APPROVED SYMPOSIA, SEMINARS, WORKSHOPS AND SIMILAR MEETINGS
(GB.294/Inf.2)

REQUESTS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
WISHING TO BE REPRESENTED AT THE 94TH (MARITIME) SESSION (2006)
OF THE INTERNATIONAL LABOUR CONFERENCE
(GB.294/Inf.3)

REQUESTS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
WISHING TO BE REPRESENTED AT THE 95TH SESSION (2006)
OF THE INTERNATIONAL LABOUR CONFERENCE
(GB.294/Inf.4)

266. *The Employer Vice-Chairperson* recalled that the international non-governmental organizations that would be invited to be represented at the forthcoming sessions of the ILC would take part as observers.

267. *The Governing Body took note of the information presented in the documents indicated above.*

² Subject to the decision to be taken by the Governing Body in respect of the date of this Regional Meeting.

268. Before closing the session, the Chairperson paid a warm tribute to the departing ILO Legal Adviser, Mr. Loïc Picard. The Director-General, the Employer and Worker Vice-Chairpersons, and a Government representative of Brazil, speaking on behalf of the Government group, all joined with the Chairperson in wishing Mr. Picard a fruitful and rewarding retirement.

Annexe / Appendix / Anexo

294^e session - Genève - novembre 2005
 294th Session - Geneva - November 2005
 294.^a reunión - Ginebra - noviembre de 2005

Liste des personnes assistant à la session

List of persons attending the session

Lista de las personas presentes en la reunión

Membres gouvernementaux titulaires Miembros gubernamentales titulares	Regular Government members
Président du Conseil d'administration: Chairperson of the Governing Body: Presidente del Consejo de Administración:	Sr. C. TOMADA (Argentina)

Afrique du Sud South Africa Sudáfrica

Mr. M.M.S. MDLADLANA, Minister of Labour.
 Mr. L. KETTLEDAS, Deputy Director-General, Department of Labour.

substitute(s):

Mr. S. NDEBELE, Counsellor (Labour), Permanent Mission, Geneva.
 Ms. N. LENYAI, Assistant Manager, International Relations, Department of Labour.

* Ms. G. MTSHALI, Ambassador, Permanent Mission, Geneva.

accompanied by:

Ms. T. MOTHEOHANE, Private Secretary to the Minister of Labour.

Allemagne Germany Alemania

Mr. W. KOBERSKI, Director for European Policy, Federal Ministry of Economic Affairs and Labour.

substitute(s):

Mr. E. KREUZALER, International Employment and Social Policy Department, Federal Ministry of Economic Affairs and Labour.

Ms. M. SCHLEEGER, Head of Division for ILO and UN Affairs, Federal Ministry of Economic Affairs and Labour.

Ms. B. ZEITZ, Deputy Head, ILO and UN Department, Federal Ministry of Economic Affairs and Labour.

* *Délégués accrédités mais non enregistrés / * delegates accredited but not registered*
 * *Delegados acreditados no registrados*

accompanied by:

Ms. S. HOFFMANN, Counsellor, Permanent Mission, Geneva.

Mr. D. KRANEN, Counsellor, Permanent Mission, Geneva.

Arabie saoudite Saudi Arabia Arabia Saudita

Mr. K. ALNAHIT, Legal Adviser,
International Organizations Directorate,
Ministry of Labour.

Argentine Argentina Argentina

Sr. C. TOMADA, Presidente del Consejo de
Administración de la OIT y Ministro de
Trabajo, Empleo y Seguridad Social.

suplente(s):

- * Sr. A. DUMONT, Embajador, Misión Permanente, Ginebra.

acompañado(s) de:

Sra. N. RIAL, Secretaria de Trabajo,
Ministerio de Trabajo, Empleo y Seguridad Social.

Sra. M. NOVICK, Subsecretaria de
Programación Técnica y Estudios Laborales,
Ministerio de Trabajo, Empleo y Seguridad Social.

Sr. E. VARELA, Ministerio de Trabajo,
Empleo y Seguridad Social.

Sra. S. CORRADETTI, Asesora del Ministro,
Ministerio de Trabajo, Empleo y Seguridad Social.

Sr. D. CELAYA ALVAREZ, Consejero,
Misión Permanente, Ginebra.

Sr. G. CORRES, Subcoordinador de Asuntos
Internacionales, Ministerio de Trabajo,
Empleo y Seguridad Social.

- * Sr. A. NEGRO, Director de Ceremonial y Relaciones Institucionales.

- * Sra. M. ARES, Secretaria del Sr. Ministro.

Australie Australia Australia

Ms. L. LIPP, Special Adviser, International Relations, Department of Employment and Workplace Relations.

Mr. S. EVANS, Director, International Relations Section, Department of Employment and Workplace Relations.

substitute(s):

- * Mr. M. SMITH, Ambassador, Permanent Mission, Geneva.

- * Ms. R. MUDIE, Deputy Permanent Representative, Permanent Mission, Geneva.

- * Ms. J. FEENEY, First Secretary, Permanent Mission, Geneva.

Mr. M. SAWERS, First Secretary, Permanent Mission, Geneva.

Bélarus Belarus Belarús

Ms. A. MOROVA, Minister of Labour and Social Protection.

substitute(s):

Mr. S. ALEINIK, Ambassador, Permanent Mission, Geneva.

accompanied by:

Mr. A. SAVINYKH, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr. I. STAROVOYTOV, Director of External Relations and Partnership Policy Department, Ministry of Labour and Social Protection.

Mr. A. MOLCHAN, Counsellor, Permanent Mission, Geneva.

Mr. E. LAZAREV, First Secretary, Permanent Mission, Geneva.

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*** Delegados acreditados no registrados**

Brésil Brazil Brasil

Mr. C. ROCHA PARANHOS, Ambassador,
Alternate Permanent Representative,
Permanent Mission, Geneva.

substitute(s):

Mr. A. NASCIMENTO PEDRO, Minister
Counsellor, Permanent Mission, Geneva.
Mr. P. CASTRO SALDANHA, Second
Secretary, Permanent Mission, Geneva.
Mr. N. FREITAS, Special Adviser to the
Minister of Labour and Employment,
Ministry of Labour and Employment.
Mr. S. PAIXÃO PARDO, Head of
International Organizations Division,
Ministry of Labour and Employment.

accompanied by:

- * Ms. M. ANDRADE SIMÕES, Counsellor,
Head of Division of Social Issues, Ministry
of External Relations.
- * Ms. R. MELO, Second Secretary, Permanent
Mission, Geneva.
- Mr. I. SANT'ANNA RESENDE, Third
Secretary, Division of Social Issues,
Ministry of External Relations.

**Cameroun Cameroon
Camerún**

- * M. R. NKILI, Ministre de l'Emploi, du
Travail et de la Sécurité sociale.

substitute(s):

- * M. J. S. NDJEMBA ENDEZOU MOU,
Ambassadeur.

suppléant(s):

- M. F. NGANTCHA, Ministre conseiller,
mission permanente, Genève.
M. C. MOUTE A BIDIAS, Directeur général
du Fonds national de l'emploi.
M. S. INACK INACK, Chef de division,
ministère de l'Emploi, du Travail et de la
Sécurité sociale
- * M^{me} N. FEUDJIO VOUGMO DJUA,
Attachée au secrétariat des services du

Premier ministre, ministère de l'Emploi, du
Travail et de la Sécurité sociale.

- * M^{me} I. GWENANG, Chef de la cellule de la
coopération technique, ministère de
l'Emploi, du Travail et de la Sécurité
sociale.
- * M^{me} NJIWAM, Chargée d'études-assistante,
ministère de l'Emploi, du Travail et de la
Sécurité sociale.

Canada Canada Canadá

Mr. A. GILES, Director General,
International and Intergovernmental Labour
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and Skills Development Canada.

substitute(s):

- Ms. D. ROBINSON, Director, International
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accompanied by:

- Ms. L. PARIS, Senior Policy Analyst,
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Ms. N. STUEWER, Third Secretary,
Permanent Mission, Geneva.

Chine China China

- * Mr. Z. SHA, Ambassador and Permanent
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Ms. X. LU, Counsellor, Ministry of Labour
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accompanied by:

- Ms. J. GUAN, Director, Department of
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* Delegados acreditados no registrados**

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Mr. S. RONG, Second Secretary, Permanent Mission, Geneva.

Ms. R. XU, Official, Department of International Cooperation, Ministry of Labour and Social Security.

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Sr. P. FANEGO SEA, Primer Secretario, Ministerio de Relaciones Exteriores.

Sr. M. SÁNCHEZ OLIVA, Tercer Secretario, Misión Permanente, Ginebra.

acompañado(s) de:

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Sra. M. HERRERA CASEIRO, Consejera, Misión Permanente, Ginebra.

Sr. O. LEÓN GONZÁLEZ, Segundo Secretario, Misión Permanente, Ginebra.

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Sr. J. ESPINAL ESCOBAR, Ministro de Trabajo y Previsión Social.

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Sr. M. CASTRO GRANDE, Ministro Consejero, Misión Permanente, Ginebra.

Sr. W. PALACIOS CARRANZA, Director de Relaciones Internacionales de Trabajo.

Sra. E. AVILA DE PEÑA, Asesora del Despacho Ministerial, Ministerio de Trabajo y Previsión Social.

Espagne Spain España

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suplente(s):

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acompañado(s) de:

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Sr. G. LÓPEZ MACLELLAN, Consejero Diplomático, Misión Permanente, Ginebra.

Etats-Unis United States Estados Unidos

Ms. M. NEWTON, Acting Deputy Under Secretary, International Affairs, Department of Labor.

accompanied by:

Ms. J. MACKIN BARRETT, Manpower Analyst, Office of International Organizations, Bureau of International Affairs, Bureau of International Labor Affairs, US Department of Labor.

Mr. J. CHAMBERLIN, Labor Attaché, Permanent Mission, Geneva.

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acompañado(s) de:

Sr. R. DARÍO MOLINA, Director de la
Oficina de Relaciones Internacionales y
Enlace con la OIT, Ministerio del Trabajo.

Sr. C. FLORES, Agregado Laboral, Misión
Permanente, Ginebra.

Sr. R. HANDS, Asesor del Despacho del
Trabajo, Misión Permanente, Ginebra.

Sr. J. ARIAS, Asesor Político, Misión
Permanente, Ginebra.

Sr. D. MANZOUL CAMPOS, Diputado
Vicepresidente de la Comisión de
Desarrollo Social Integral de la Asamblea
Nacional.

Viet Nam

* Mr. Q. NGO, Ambassador, Permanent
Mission, Geneva.

accompanied by:

* Mr. Q. PHAM, Deputy Permanent
Representative, Permanent Mission,
Geneva.

Mr. H. PHAM, Counsellor, Permanent
Mission, Geneva.

* Mr. Q. DANG, First Secretary, Permanent
Mission, Geneva.

* Mr. T. DANG, Attaché, Permanent Mission,
Geneva.

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Membres employeurs titulaires Regular Employer members
Miembros empleadores titulares

Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:	Sr. D. FUNES DE RIOJA (Argentina)
Secrétaire du groupe des employeurs: Secretary of the Employers' group: Secretario del grupo de los empleadores:	Sr. A. PEÑALOSA
Secrétaire adjoint du groupe des employeurs: Deputy Secretary of the Employers' group: Secretario adjunto del grupo de los empleadores:	Mr. B. WILTON

Mr. P. ANDERSON (Australia), Director, Workplace Policy, Australian Chamber of Commerce and Industry.

M. B. BOISSON (France), Conseiller social, Mouvement des entreprises de France (MEDEF).

* Mr. A. DAHLAN (Saudi Arabia), Representative, Council of Saudi Chamber of Commerce and Industry.

Sr. D. FUNES DE RIOJA (Argentina), Vicepresidente del Consejo de Administración de la OIT, Presidente del Departamento de Política Social, Unión Industrial Argentina (UIA).

Ms. R. GOLDBERG (United States), Executive Vice President and Senior Policy Officer, United States Council for International Business.

Ms. R. HORNUNG-DRAUS (Germany), Director, European Affairs and International Social Policy, Confederation of German Employers' Associations (BDA).

Mr. A. JEETUN (Mauritius), Director, Mauritius Employers' Federation.

* Mr. M. LAMBERT (United Kingdom), Representative, Confederation of British Industry.

Sr. D. LIMA GODOY (Brasil), Vicepresidente, Confederación Nacional de la Industria (CNI).

* M. A. M'KAISSI (Tunisie), Conseiller directeur central, Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).

* M. B. NACOULMA (Burkina Faso), Président de comité statuaire, Conseil national du patronat burkinabé.

Mr. T. SUZUKI (Japan), Executive Adviser, Nippon-keidanren International Cooperation Center.

Mr. A. TABANI (Pakistan), President, Employers' Federation of Pakistan.

Mr. G. TROGEN (Sweden), Director-General, ALMEGA.

Ms. A. GERSTEIN, accompanying Ms. Hornung-Draus.

Mr. A. GREENE, accompanying Ms. Goldberg.

Mr. H. YANO, accompanying Mr. Suzuki.

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Membres employeurs adjoints Deputy Employer members
Miembros empleadores adjuntos

- * Mr. I. ANAND (India), Chairman, Shivathene Corporate Centre.
- M^{me} F. AWASSI ATSIMADJA (Gabon), Représentant, Confédération patronale gabonaise.
- M. M. BARDE (Suisse), Secrétaire général, Fédération des syndicats patronaux.
- Mr. L. CHEN (China), Vice-President, China Enterprise Confederation.
- * Sr. B. DE ARBELOA (Venezuela), Presidente Comisión OIT/OIE, Fedecamaras.
- M. A. DE KOSTER (Belgique), Directeur du département social, Fédération des entreprises de Belgique.
- Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente de Asuntos Jurídico y Sociales, Asociación Nacional de Industriales (ANDI).
- Mr. O. EREMEEV (Russian Federation), Chairman, Coordinating Council of Employers' Unions of Russia (CCEUR).
- Mr. A. FINLAY (Canada), Vice-President and Assistant General Counsel, Employee Relations and Employment Group, The Bank of Nova Scotia.
- Mr. S. GOH HOCK LI (Singapore), Council Member, Singapore National Employers' Federation.
- * Mr. W.A. HILTON-CLARKE (Trinidad and Tobago), Vice-Chairman, Employers' Consultative Association of Trinidad and Tobago.
- Ms. L. HORVATIC (Croatia), Director of International Relations, Croatian Employers' Association.
- Sr. J. LACASA ASO (España), Director, Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).
- * Mr. K. MATTAR (United Arab Emirates), Board Director, Federation of Chambers of Commerce and Industry.
- * M. E. MEGATELI (Algérie), Secrétaire général, Confédération générale des opérateurs économiques algériens.
- Mr. O.A. OSHINOWO (Nigeria), Director-General, Nigeria Employers' Consultative Association.
- Sr. G. RICCI MUADI (Guatemala), Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF).
- * M. L. TRAORE (Mali), Secrétaire général, Conseil national du patronat du Mali.
- Mr. V. VAN VUUREN (South Africa), Chief Operations Officer, Business Unity South Africa.

Ms. Y. CHEN, accompanying Mr. Chen.

- * Mr. S.M. DEWAN, accompanying Mr. Anand.
- * Mr. O. KOVALEV, accompanying Mr. Eremeev.
- Mr. H. LIU, accompanying Mr. Chen.
- Mr. A. POLUEKTOV, accompanying Mr. Eremeev.

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Membres suppléants assistant à la session:

Substitute members attending the session:

Miembros suplentes presentes en la reunión:

Mr. M. ABDO (Egypt), Federation of Egyptian Industries.

* Mr. N. CHO (Republic of Korea), Vice-Chairman, Korea Employers' Federation.

* Mr. M. PILIKOS (Cyprus), Director-General, Cyprus Employers and Industrialists Federation.

Mr. P. PRIOR (Czech Republic), Confederation of Industry of the Czech Republic.

Mr. C. RENIQUE (Netherlands), Head, Education and Training Department, VNO-NCW.

M^{me} L. SASSO MAZZUFFERI (Italie), Conseiller spécial des affaires internationales, Confédération générale des employeurs d'Italie, CONFINDUSTRIA.

Mr. A. TAN (Philippines), President Emeritus, Employers' Confederation of the Philippines.

Mr. P. TOMEK (Austria), Representative, Federation of Austrian Industry.

Membres travailleurs titulaires Regular Worker members Miembros trabajadores titulares	
Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:	Sir Roy TROTMAN (Barbados)
Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretaria del grupo de los trabajadores:	Ms. A. BIONDI
Secrétaire adjointe du groupe des travailleurs: Deputy Secretary of the Workers' group: Secretario adjunto del grupo de los trabajadores:	Sr. A. GONZALEZ

* Mr. N. ADYANTHAYA (India), Secretary, Indian National Trade Union Congress.

* Ms. B. BYERS (Canada), Executive Vice President, Canadian Labour Congress.

M^{me} R. DIALLO (Guinée), Secrétaire générale, Confédération nationale des travailleurs de Guinée (CNTG).

Mr. U. EDSTRÖM (Sweden), Head of International Department, Swedish Trade Union Confederation (LO-S).

Ms. U. ENGELN-KEFER (Germany), Vice-President, German Confederation of Trade Unions (DGB).

Sr. J. GÓMEZ ESGUERRA (Colombia), Secretario General, Confederación General del Trabajo (CGT).

* Mr. S. NAKAJIMA (Japan), Executive Director, Department of International Affairs, Japanese Trade Union Confederation - JTUC RENGO.

Mr. A. OSHIOMHOLE (Nigeria), President, Nigeria Labour Congress (NLC).

* M. A. SIDI SAÏD (Algérie), Secrétaire général, Union générale des travailleurs algériens.

* Mr. E. SIDOROV (Russian Federation), Secretary, Federation of Independent Trade Unions of Russia (FNPR).

Mr. S. STEYNE (United Kingdom), International Officer, EU and International Relations Department, Trades Union Congress.

* Sir Roy TROTMAN (Barbados), Vice-Chairperson of the ILO Governing Body, General Secretary, Barbados Workers' Union.

Mr. J. ZELLHOEFER (United States), European Representative, AFL-CIO European Office.

* Ms. M. HAYASHIBALA, accompanying Mr. Nakajima.

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Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos

Ms. A. ABDEL HADY ABDELGHANY (Egypt), Secretary, Working Women and Children, Egyptian Trade Union Federation.

Mr. K. AHMED (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.

Mr. M. AL-MA'AYTA (Jordan), President, General Federation of Jordanian Trade Unions.

Sra. H. ANDERSON NEVÁREZ (México), Secretaria de Acción Femina del Comité, Confederación de Trabajadores de México.

* Mr. L. BASNET (Nepal), President, Nepal Trade Union Congress.

* M. M. BLONDEL (France), Confédération générale du travail-Force ouvrière (CGT-FO).

Ms. C. BRIGHI (Italie), Assistant Director International, C.I.S.L.

* Mr. B. CANAK (Serbia and Montenegro), President, United Branch Trade Unions, United Branch Trade Unions - Nezavisnost.

Mr. T. ETTY (Netherlands), International Department, FNV.

M^{me} A. GARCIA (Angola), Secrétaire générale, Centrale générale des syndicats indépendants et libres de l'Angola.

Ms. N. GOULART (Brazil), Vice-Présidente, Força Sindical nacional.

M. B. HOSSU (Roumanie), Président, Confédération nationale syndicale.

Mr. A. HUSAIN (Bahrain), General Federation for Bahrain Workers' Trade Unions.

Sr. G. MARTÍNEZ (Argentina), Confederación General del Trabajo.

Mr. L. ONGABA (Uganda), Secretary General, National Organization of Trade Unions.

M. A. PALANGA (Togo), Secrétaire général, Confédération nationale des travailleurs du Togo (CNTT).

* Mr. E. PATEL (South Africa), National Labour Convenor, COSATU.

M. J. PRINCE (Suisse), Secrétaire central, Union syndicale suisse (USS).

Mr. R. SILABAN (Indonesia), General Chairman, Confederation of Indonesian Prosperous Labour Union (K-SBSI).

Mr. T. WOJCIK (Poland), National Commission Member, Solidarnosc.

* Ms. H. YACOB (Singapore), Assistant Secretary General, National Trade Unions Congress.

Mr. M. ROSTOM, accompanying Ms. Abdel Hady Abdelghany.

Membres suppléants assistant à la session:
Substitute members attending the session:
Miembros suplentes presentes en la reunión:

Mr. K. GYÖRGY (Hungary), Member of the Executive Board, National Confederation of Hungarian Trade Unions.

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Représentants d'autres Etats Membres de l'Organisation assistant à la session
Representatives of other member States of the Organization present at the session
Representantes de otros Estados Miembros de la Organización presentes en la reunión

Algérie Algeria Argelia

M. B. SEDKI, Ministre plénipotentiaire,
mission permanente, Genève.

Autriche Austria Austria

Ms. I. DEMBSHER, Head of Unit, Federal
Ministry of Economic Affairs and Labour.
Mr. C. LASSMANN, Minister, Federal
Ministry for Foreign Affairs.
Mr. A. WOJDA, First Secretary, Permanent
Mission, Geneva.
Ms. I. KADLEC, Attaché, Permanent
Mission, Geneva.

Bangladesh

Mr. T. ALI, Ambassador, Permanent Mission,
Geneva.
Mr. M. ZAMAN, Minister, Permanent
Mission, Geneva.
Mr. N. AHMED, Third Secretary, Permanent
Mission, Geneva.

Belgique Belgium Bélgica

M. J. CLOESEN, Conseiller, Service fédéral
emploi, travail et concertation sociale.
M^{me} L. EVEN, Conseiller, Service public
fédéral emploi, travail et concertation
sociale.
M. F. ROUX, Ambassadeur, mission
permanente, Genève.
M. J. DE PRETER, Secrétaire d'ambassade,
mission permanente, Genève.
M^{me} F. GUSTIN, Ministre conseiller,
représentant permanent adjoint, mission
permanente, Genève.

Bolivie Bolivia

Sr. A. MOSCOSO BLANCO, Embajador,
Misión Permanente, Ginebra.
Sr. G. POGGI BORDA, Ministro Consejero,
Misión Permanente, Ginebra.

Botswana

Ms. M. MATLHO, Adviser, Permanent
Mission, Geneva.

Bulgarie Bulgaria Bulgaria

Mr. P. DRAGANOV, Ambassador,
Permanent Mission, Geneva.
Ms. J. POPOVA, State expert, Human Rights
and International Humanitarian Affairs
Department, Ministry of Foreign Affairs.
Mr. N. NAYDENOV, Expert, International
Relations Unit, European Integration and
International Relations Department,
Ministry of Labour and Social Policy.
Ms. M. YOTOVA, Attaché, Permanent
Mission, Geneva.

**Colombie Colombia
Colombia**

Sra. C. FORERO UCROS, Embajadora,
Misión Permanente, Ginebra.
Sra. L. ARANGO DE BUITRAGO, Ministra
Consejera, Misión Permanente, Ginebra.

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Costa Rica

- * Sr. L. VARELA, Embajador, Misión Permanente, Ginebra.
- Sr. C. GARBANZO BLANCO, Ministro Consejero, Misión Permanente, Ginebra.

Danemark Denmark Dinamarca

- Mr. K. PEDERSEN, Legal Adviser, Legal and International Affairs, Ministry of Employment.
- Mr. A. BERLING-RASMUSSEN, Attaché, Permanent Mission, Geneva.

Egypte Egypt Egipto

- * Mr. S. SHOUKRY, Ambassador, Permanent Mission, Geneva.
- * Mr. A. MELEIKA, Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva.
- * Ms. S. ELERYAN, Labor Counsellor, Permanent Mission, Geneva.
- * Mr. M. FAKHRY, First Secretary, Permanent Mission, Geneva.
- * Mr. O. SHALABY, Second Secretary, Permanent Mission, Geneva.

Equateur Ecuador Ecuador

- Sra. L. BAQUERIZO GUZMÁN, Segunda Secretaria, Misión Permanente, Ginebra.
- Sr. J. THULLEN, Asesor, Ministerio de Trabajo.

Estonie Estonia Estonia

- * Mr. T. NIRK, Ambassador, Permanent Mission, Geneva.
- * Ms. H. LEHT, Third Secretary, Permanent Mission, Geneva.

Gabon Gabon Gabón

- M^{me} M. ANGONE ABENA, Conseiller, chargée des relations avec le BIT, mission permanente, Genève.

Ghana

- Mr. K. BAWUAH-EDUSEI, Ambassador, Permanent Mission, Geneva.
- Mr. P. ARYENE, Deputy Permanent Representative, Permanent Mission, Geneva.
- Ms. D. RICHTER, First Secretary, Permanent Mission, Geneva.

Guatemala

- Sr. L. PIRA, Embajador, Misión Permanente, Ginebra.
- Srta. A. CHÁVEZ BIETTI, Ministra Consejera, Misión Permanente, Ginebra.

Indonésie Indonesia Indonesia

- Mr. M. TAMBUSAI, Director-General for Industrial Relations and Labour Standards, Department of Manpower and Transmigration.
- Ms. E. SULISTYANINGSIH, Head of Research and Development Center, Department of Manpower and Transmigration.
- Ms. T. HENDARTI, Director of Standardization, Certification and Competency, Certification for Manpower, Department of Manpower and Transmigration.
- Mr. S. SUWARNA, Head, Sub-Directorate for Industrial Relations and Labour Standards, Department of Manpower and Transmigration.
- Mr. A. DARADJAT, Director of Labour Norms Supervision, Department of Manpower and Transmigration.

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Mr. H. BUDIARTO, Minister Counsellor,
Permanent Mission, Geneva.
Mr. S. SOEMARNO, Counsellor, Permanent
Mission, Geneva.

Liban Lebanon Líbano

M^{me} M. DAGHER, Premier secrétaire,
mission permanente, Genève.

Lituanie Lithuania Lituania

Mr. E. BORISOVAS, Ambassador,
Permanent Mission, Geneva.
Ms. K. JUODPUSYTE, Chief Specialist,
European Integration and International
Relations Department, Ministry of Social
Security and Labour.
Ms. R. KAZLAUSKIENE, Counsellor,
Permanent Mission, Geneva.

Malaysie Malaysia Malasia

Mr. W. WAN SULKFLI, Labour Attaché,
Permanent Mission, Geneva.

Malte Malta Malta

- * Mr. S. BORG, Ambassador, Permanent
Mission, Geneva.
- * Mr. R. SARSERO, Counsellor, Permanent
Mission, Geneva.
- * Mr. J. BUSUTTIL, First Secretary,
Permanent Mission, Geneva.
- * Mr. T. BONNICI, First Secretary, Permanent
Mission, Geneva.

Norvège Norway Noruega

- * Mr. W. STROMMEN, Ambassador,
Permanent Mission, Geneva.
- Mr. O. VIDNES, Counsellor, Permanent
Mission, Geneva.

**Nouvelle-Zélande
New Zealand
Nueva Zelandia**

- * Mr. T. CAUGHLEY, Ambassador,
Permanent Mission, Geneva.
- Mr. M. HOBBY, Senior Adviser,
International Services, Department of
Labour.

Panama Panama Panamá

- * Sr. J. CASTILLERO, Embajador, Misión
Permanente, Ginebra.
- Sr. J. CORRALES, Consejero, Misión
Permanente, Ginebra.

Portugal

- * M. J. SOUSA FIALHO, Conseiller, mission
permanente, Genève.

**République dominicaine
Dominican Republic
República Dominicana**

- * Sra. Y. ROMÁN MALDONADO, Ministra
Consejera, Misión Permanente, Ginebra.

**Saint-Siège The Holy See
Santa Sede**

- * M^{gr} M. TOMASI, Nonce apostolique, mission
permanente, Genève.
- * M^{gr} M. DE GREGORI, mission permanente,
Genève.
- * D^f P. GUTIÉRREZ, Conseiller technique,
mission permanente, Genève.

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**Slovaquie Slovakia
Eslovaquia**

- * Ms. N. SEPTÁKOVÁ, First Secretary,
Permanent Mission, Geneva.

Suède Sweden Suecia

- * Ms. E. BORSIIN BONNIER, Ambassador,
Permanent Mission, Geneva.
Ms. S. CALLTORP, First Secretary,
Permanent Mission, Geneva.
Ms. K. WIKLUND, Deputy Director,
Ministry of Industry, Employment and
Communications.
* Mr. J. STRÖM, Deputy Director, Department
for Global Development, Ministry of
Foreign Affairs.
Mr. C. ERIKSSON, Director, Special Expert,
Ministry of Industry, Employment and
Communications.
* Ms. C. LUNDBERG, First Secretary,
Permanent Mission, Geneva.
* Ms. H. PEDERSEN, First Secretary,
Permanent Mission, Geneva.

Suisse Switzerland Suiza

- M. J. ELMIGER, Ambassadeur, chef des
affaires internationales du travail, secrétariat
d'Etat à l'Economie (SECO).
M^{me} T. ALVESALO-ROESCH, Suppléante
du chef des affaires internationales du
travail, secrétariat d'Etat à l'Economie
(SECO).
M^{me} B. SCHAER BOURBEAU, Deuxième
secrétaire, mission permanente, Genève.
* M^{me} S. GRATWOHL, division politique III,
Section organisations internationales et
politique d'accueil, Département fédéral des
affaires étrangères.
M. P. BENEY, Affaires internationales du
travail, secrétariat d'Etat à l'Economie
(SECO).

**République arabe syrienne
Syrian Arab Republic
República Árabe Siria**

- Mr. J. BASHAR, Ambassador, Permanent
Mission, Geneva.
Mr. M. IBRAHIM, Attaché, Permanent
Mission, Geneva.

**Thaïlande Thailand
Tailandia**

- Mr. C. SATJIPANON, Ambassador,
Permanent Mission, Geneva.
Ms. K. CHANDRAPRABHA, Minister,
Permanent Mission, Geneva.
Mr. V. THANGHONG, Minister Counsellor
(Labour), Permanent Mission, Geneva.
Mr. P. CHARNBHUMIDOL, Minister
Counsellor, Permanent Mission, Geneva.

Turquie Turkey Turquía

- Mr. V. ETENSEL, Counsellor, Permanent
Mission, Geneva.
Mr. C. ISIK, Third Secretary, Permanent
Mission, Geneva.

Uruguay

- Sr. R. GONZÁLEZ ARENAS, Embajador
representante alterno, Misión Permanente,
Ginebra.
Sra. A. ROCANOVA, Segunda Secretaria,
Misión Permanente, Ginebra.
Sr. C. PEREIRA, Misión Permanente,
Ginebra.
Sra. C. VALLES, Attaché, Misión
Permanente, Ginebra.

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**Représentants d'organisations internationales gouvernementales
Representatives of international governmental organizations
Representantes de organizaciones internacionales gubernamentales**

**Nations Unies
United Nations
Naciones Unidas**

- * Mr. E. FONTAINE ORTIZ, Inspector, Joint Inspection Unit.
- * Mr. T. INOMATA, Inspector, Joint Inspection Unit.
- * M. H. BAUDAT, Chargé de recherche.

**Organisation des Nations Unies pour l'alimentation et l'agriculture
Food and Agriculture Organization of the United Nations
Organización da las Naciones Unidas para la Agricultura y la Alimentación**

- Mr. T. MASUKU, Director, FAO Liaison Office, Geneva.
- * Mr. P. KONANDREAS, Senior Liaison Officer, Geneva Office.
- Mr. P. PAREDES-PORTELLA, Liaison Officer, Geneva Office.
- Ms. K. KVERNLAND, Geneva Office.

**Organisation mondiale de la santé
World Health Organization
Organización Mundial de la Salud**

- * Dr. G. EIJKEMANS, Department of Protection of Human Environment.
- * Mr. L. TILLFORS, External Relations Officer, Department of Governance.

**Fonds monétaire international
International Monetary Fund
Fondo Monetario Internacional**

- * Mr. R. MARINOV, Consultant, Geneva Office.
- * Ms. G. WEDER, Consultant, Geneva Office.
- * Ms. I. HAMDAN, Consultant, Geneva Office.

**Organisation internationale pour les migrations
International Organisation for Migration
Organización Internacional para las Migraciones**

- * Mr. F. LACZKO, Head, Research and Publications Division, Migration Policy, Research and Communication.

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Organisation mondiale du commerce
World Trade Organization
Organización Mundial del Comercio

- * Ms. V. RUGWABIZA, Deputy Director-General.
- * Ms. V. Liu, Counsellor, Trade and Environment Division.

Organisation internationale de la francophonie
Organización Internacional de la Francofonía

- * M. M. BEAULIEU, Représentant permanent a.i..
- * M^{me} S. COULIBALY LEROY, Représentante permanente adjointe.
- M^{lle} M. POIREY JULIA, Assistante du représentant.

Union africaine
African Union
Unión Africana

- * Ms. K. MASRI, Ambassador and Permanent Observer.
- * Mr. V. WEGE-NZOMWITA, Counsellor, Geneva Office.

Organisation arabe du travail
Arab Labour Organization
Organización Árabe del Trabajo

- Dr. I. GUIDER, Director General.
- Mr. A. HUMSI, Head of the Permanent Delegation in Geneva.
- Mr. T. TAMO, Chief of Governing Body Office.

Ligue des États arabes
League of Arab States
Liga de Estados Arabes

- * Mr. S. ALFARARGI, Ambassador, Permanent Observer.
- * Dr. O. El-HAJJE, Member.

Organisation de coopération et de développement économiques
Organisation for Economic Co-operation and Development
Organización de Cooperación y Desarrollo Económicos

- Ms. H. NORDAS, Senior Trade Policy Analyst, Trade Directorate.

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Commission européenne

European Commission

Comisión Europea

- * Mr. C. TROJAN, Ambassador, Head of Permanent Delegation, Geneva.
- * Ms. L. PAVAN-WOOLFE, Director, Directorate General for Employment, Social Affairs and Equal Opportunities, Brussels.
- * Mr. A. KASTRISSIANAKIS, Director, DG EMPL, International Affairs and Enlargement.
- * Mr. T. BÉCHET, Minister-Counsellor, Permanent Delegation Office, Geneva.
- * Mr. G. FLOATER, DG Trade, Brussels.
- * Mr. C. DUFOUR, Permanent Delegation Office, Geneva.
- Mr. R. DELARUE, DG EMPL, International Affairs and Enlargement.
- Mr. J. TRICARD, DG EMPL Head of Unit for International Affairs and Enlargement.

- * Mr. O. ALLEN, Counsellor, Liaison Office of the General Secretariat, Geneva, Council.
 - Mr. S. VAN THIEL, Counsellor, Liaison Office of the General Secretariat, Geneva, Council.
-

**Représentants d'organisations internationales non gouvernementales assistant
à titre d'observateurs**

**Representatives of international non-governmental organizations as observers
Representantes de organizaciones internacionales no gubernamentales
presentes con carácter de observadores**

Confédération internationale des syndicats libres

International Confederation of Free Trade Unions

Confederación Internacional de Organizaciones Sindicales Libres

- * Mr. G. RYDER, General Secretary.
- * Mr. J. KUCZKIEWICZ, Director, Trade Union Rights Department.
- * Ms. A. BIONDI, Director, Geneva Office.
- * Ms. R. GONZALEZ, Assistant Director.
- * Ms. E. BUSSER, Assistant, Geneva Office.
- * Ms. V. DE BLONAY, Administrative Secretary.
- * Ms. E. BLUMER, Secretary, Geneva Office.

Confédération mondiale du travail

World Confederation of Labour

Confederación Mundial del Trabajo

- * M. E. ESTEVEZ, Secrétaire général adjoint.
- * M. H. SEA, Représentant permanent à Genève.

Organisation internationale des employeurs

International Organisation of Employers

Organización Internacional de Empleadores

- * Mr. A. PEÑALOSA, Secretary-General.
- * Mr. B. WILTON, Deputy Secretary-General.
- Mr. X. SHENG, Stagiaire.
- Ms. E. HWANG.

Organisation de l'unité syndicale africaine

Organization of African Trade Union Unity

Organización para la Unidad Sindical Africana

- Mr. H. SUNMONU, Secretary-General.
- * Mr. D. DIOP, Assistant Secretary-General.
- * Mr. A. DIALLO, Permanent Representative to the ILO and UN Mission in Geneva.

Association internationale de la sécurité sociale

International Social Security Association

Asociación Internacional de la Seguridad Social

- * Mr. H. KONKOLEWSKY, Secretary General.
- * Mr. A. BONILLA-GARCIA, Chief, Studies and Operations Branch.
- * Mr. J. THIRION, Chief of Finance and Administration.

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