



Report of the Resolutions Committee

1. The Resolutions Committee, set up by the Conference at its first sitting on 30 May 2000, was originally composed of 170 voting members (84 Government members, 32 Employer members, 54 Worker members). An appropriate weighting system ensured equality of voting strength.
2. The Committee first elected its Officers. On the proposal of Mr. Gailiunas (Government member, Lithuania), speaking on behalf of the Eastern and Central European Governments, Mr. Csaba Öry (Government member, Hungary), seconded by Ms. Boccoz (Government member, France), was elected to the Chair. In accordance with the Committee's usual practice the Chairperson was also elected Reporter. The Committee elected as Vice-Chairpersons Mr. Bokkie Botha (Employer member, South Africa) and Ms. Patricia O'Donovan (Worker member, Ireland).
3. The Committee had before it 16 resolutions submitted in accordance with article 17 of the Standing Orders of the Conference. In keeping with the same article, these were introduced by one of their authors in the following order: (a) resolution concerning international labour standards; (b) resolution concerning HIV/AIDS and the world of work; (c) resolution concerning the worst forms of child labour; (d) resolution concerning information and communications technologies; (e) resolution concerning gender equality at work; (f) resolution concerning achieving sustainability and decent work in export processing zones; (g) resolution concerning the role of the International Labour Organization in the twenty-first century; (h) resolution concerning the promotion of gender equality; (i) resolution concerning the consolidation of efforts by the social partners in Palestine and the other occupied Arab territories; (j) resolution concerning normative policy; (k) resolution concerning export processing zones; (l) resolution concerning the 50th anniversary of the Equal Remuneration Convention, 1951 (No. 100); (m) resolution concerning labour courts and similar mechanisms; (n) resolution concerning the support of efforts by the social partners in Palestine and the occupied Arab territories, including the occupied Lebanese territories; (o) resolution concerning the ILO's role in social development; (p) resolution concerning international employment strategy.
4. After the introduction of the resolutions and before the vote held in accordance with the procedure laid down in article 17, paragraph 5(a), of the Standing Orders, the following resolutions were combined by their authors:
 - (a) the two resolutions concerning export processing zones:

the first of which had been submitted by the following Worker members: Mr. Abou-Rizk (Lebanon), Mr. Agyei (Ghana), Mr. Ahmed (Pakistan), Ms. Anderson (Mexico), Mr. Attigbe (Benin), Mr. Basnet (Nepal), Mr. Blondel (France), Lord Brett (United

Kingdom), Ms. Buverud Pedersen (Norway), Mr. Cedrone (Italy), Mr. Edström (Sweden), Ms. Engelen-Kefer (Germany), Mr. Etty (Netherlands), Mr. Ito (Japan), Mr. Kara (Israel), Mr. Matheson (Australia), Mr. Murangira (Rwanda), Ms. O'Donovan (Ireland), Mr. Parrot (Canada), Mr. Patel (South Africa); Mr. Ramirez León (Venezuela), Mr. Rampak (Malaysia), Mr. Sahbani (Tunisia), Mr. Trotman (Barbados), Mr. Wistisen (Denmark), Mr. Wojcik (Poland), Ms. Yacob (Singapore), Mr. Zellhoefer (United States) and Mr. Zindoga (Zimbabwe), and the second by the following Worker members: Mr. Afilal (Morocco) and Mr. Cortebeek (Belgium);

- (b) the two resolutions concerning gender equality and the resolution concerning the 50th anniversary of the Equal Remuneration Convention, 1951 (No. 100):

the first of which had been submitted by the following Worker members: Mr. Abou-Rizk (Lebanon), Mr. Agyei (Ghana), Mr. Ahmed (Pakistan), Ms. Anderson (Mexico), Mr. Attigbe (Benin), Mr. Basnet (Nepal), Mr. Blondel (France), Lord Brett (United Kingdom), Ms. Buverud Pedersen (Norway), Mr. Cedrone (Italy), Mr. Edström (Sweden), Ms. Engelen-Kefer (Germany), Mr. Etty (Netherlands), Mr. Ito (Japan), Mr. Kara (Israel), Mr. Matheson (Australia), Mr. Murangira (Rwanda), Ms. O'Donovan (Ireland), Mr. Parrot (Canada), Mr. Patel (South Africa), Mr. Ramirez León (Venezuela), Mr. Rampak (Malaysia), Mr. Sahbani (Tunisia), Mr. Trotman (Barbados), Mr. Wistisen (Denmark), Mr. Wojcik (Poland), Ms. Yacob (Singapore), Mr. Zellhoefer (United States) and Mr. Zindoga (Zimbabwe), the second by the Government delegations of Denmark, Finland, Iceland, Norway and Sweden; and the third by the following Worker members: Mr. Afilal (Morocco) and Mr. Cortebeek (Belgium);

- (c) the two resolutions concerning Palestine and other occupied Arab territories:

the first of which had been submitted by the Government delegations of Jordan, Syrian Arab Republic and Yemen, and by Mr. Asfour (Employer delegate of Jordan) and Mr. Al-Kohlani (Worker delegate of Yemen), and the second by the Government delegations of Lebanon and Syrian Arab Republic;

- (d) the resolutions concerning the role of the ILO in the twenty-first century, the ILO's role in social development, and international employment strategy:

the first of which had been submitted by the following Worker members: Mr. Abou-Rizk (Lebanon), Mr. Agyei (Ghana), Mr. Ahmed (Pakistan), Ms. Anderson (Mexico), Mr. Attigbe (Benin), Mr. Basnet (Nepal), Mr. Blondel (France), Lord Brett (United Kingdom), Ms. Buverud Pedersen (Norway), Mr. Cedrone (Italy), Mr. Edström (Sweden), Ms. Engelen-Kefer (Germany), Mr. Etty (Netherlands), Mr. Ito (Japan), Mr. Kara (Israel), Mr. Matheson (Australia), Mr. Murangira (Rwanda), Ms. O'Donovan (Ireland), Mr. Parrot (Canada), Mr. Patel (South Africa), Mr. Ramirez León (Venezuela), Mr. Rampak (Malaysia), Mr. Sahbani (Tunisia), Mr. Trotman (Barbados), Mr. Wistisen (Denmark), Mr. Wojcik (Poland), Ms. Yacob (Singapore), Mr. Zellhoefer (United States) and Mr. Zindoga (Zimbabwe), the second by the Government delegations of Canada, Chile, Germany, the Netherlands and the United Kingdom, and the third by the Government delegations of Canada, Finland, Ireland, Sweden and the United Kingdom.

5. In accordance with the procedure laid down in article 17, paragraph 5(a), of the Standing Orders of the Conference, and using the traditional system of balloting, the Committee convened at its third sitting to determine the first five resolutions to be considered among the ten resolutions remaining before the Committee and their order of priority.

-
6. Owing to a change in the composition of the Committee there were at the time of voting 170 voting members (90 Government members with 1,519 votes each; 31 Employer members with 4,410 votes each; and 49 Worker members with 2,790 votes each.¹
7. The first five resolutions and the votes cast for them were as follows:
- (1) Resolution concerning HIV/AIDS and the world of work: 1,145,341 weighted votes;
 - (2) Resolution concerning the ILO's role in social development in the twenty-first century: 835,839 weighted votes;
 - (3) Resolution concerning the consolidation of efforts by the social partners in Palestine and the other occupied Arab territories: 750,834 weighted votes;
 - (4) Resolution concerning gender equality: 734,516 weighted votes;
 - (5) Resolution concerning normative policy: 695,001 weighted votes.
8. The Vice-Chairpersons declined to take the Chair as there was an evident risk that their active participation in the debates could be prejudicial to the proper conduct of the business of the Committee, particularly having regard to the perception of impartiality required with respect to the direction of the debates. In these circumstances, the Committee, in accordance with article 57(4) of the Standing Orders, requested Mr. Zoltán Varga (Government adviser, Hungary) to preside over the debates for the fourth and fifth sittings. In accordance with article 17, paragraph 5(b), of the Standing Orders the Committee, at its 4th sitting, set up a working party to make recommendations as to the order in which the remaining resolutions before the Committee should be examined.
9. The Working Party was composed as follows:

Government members:

Mr. Melas (Austria)
Ms. Nghiyoonanye (Namibia)
Ms. Sarmiento (Philippines)

Employer members:

Mr. Cester (Spain)
Mr. Dahlan (Saudi Arabia)
Mr. Mazhar (Egypt)

¹ Subsequently, further changes were made in the composition:

Fourth sitting on 5.6.00, 177 voting members (96 G, 31 E, 50 W);

Fifth sitting on 6.6.00, 172 voting members (97 G, 30 E, 45 W);

Sixth sitting on 7.6.00, 168 voting members (96 G, 27 E, 45 W);

Seventh sitting on 8.6.00, 160 voting member (96 G, 23 E, 41 W);

Eighth sitting on 9.6.00, 153 voting members (96 G, 21 E, 36 W);

Ninth sitting on 10.6.00, 146 voting members (96 G, 21 E, 29W).

Worker members:

Mr. Del Rio (Dominican Republic)

Mr. Pizzaferrri (Luxembourg)

Ms. Zettervall-Thapper (Sweden)

10. At the Committee's sixth sitting, the Chairperson announced that the Working Party had met and had favoured the following order of priority:

(6) Resolution concerning information and communications technologies;

(7) Resolution concerning the worst forms of child labour;

(8) Resolution concerning international labour standards;

(9) Resolution concerning achieving sustainability and decent work in export processing zones;

(10) Resolution concerning labour courts and similar mechanisms.

11. The Committee took note of the information given.

Resolution concerning HIV/AIDS and the world of work

General discussion

12. The Employer Vice-Chairperson thanked those who had placed the issue of HIV/AIDS high on their list of priorities for Conference resolutions. This marked the first time that the International Labour Organization had given such high-level attention to HIV/AIDS and its effects on the world of work. The ballot recognized that HIV/AIDS was indeed a global problem and that workers and enterprises in industrialized countries were also affected by issues that appeared predominant in the third world. He quoted the United States Surgeon-General in pointing out that of the 33.4 million HIV-infected people in the world, there were an estimated 22.5 million in sub-Saharan Africa, 6.7 million in South and South-East Asia, 1.4 million in Latin America, and 665,000 in the United States of America. Globally, more than 14 million people had died of the disease, including 2.5 million last year. The ILO had been slow to respond to the mushrooming pandemic. The culture of denial in many countries and by many political leaders had been responsible for a severe lack of information and insufficient focus on factors that could reduce the spread of HIV infection. Greater attention by the ILO could help develop political commitment at the highest levels, and in ensuring that debates on causes did not retard political action. Employers, enterprises and managers had also been slow to address the pandemic which had been mounting for almost two decades, although some multinational enterprises had led the field by developing policies and codes of practice to deal with the human effects, the mounting costs, and the many consequences for management and workers. While employers' organizations were well situated to advise their members, the culture of denial had sometimes manifested itself among them as well. Nor had workers' organizations and trade unions always afforded highest priority to the problem, which was often seen as the responsibility of other institutions, such as departments of health or employers. In many countries HIV/AIDS was the single most important issue facing enterprises. The effect of AIDS, unlike floods and other natural disasters, was exponential and cumulative. The economically active population was hardest hit with profound effects on the world of work and on prospects for securing decent work. The increasing burden of

AIDS orphans and retired people would have to be supported by a smaller economically active population. Illness, absenteeism and AIDS-associated conditions all affected productivity and the delivery of services to such an extent that the manner in which managements addressed AIDS in the workplace would determine which enterprises would survive the first decade of the twenty-first century. The ILO could play a significant role in assisting employers' and workers' organizations in managing the disease, rather than avoiding it. But the pandemic could not be dealt with by individual institutions; it was indeed everybody's problem. The Employers' group had placed this resolution before the Conference because they wished it to endorse their concerns about HIV/AIDS, to recognize that it was a global issue; to assist political leaders in overcoming denial; to assist the social partners in addressing the pandemic and guide them in dealing with complex dilemmas; and, ultimately, to reduce the spread of this universal threat and deal constructively with its consequences. While they did not propose to deal with technical aspects, they did wish to mobilize the best available resources in order to make a difference in the world of work. The Employers' group looked forward to a comprehensive and determined debate that would lead to a serious and meaningful resolution.

- 13.** At the invitation of the Officers of the Committee, a representative of the Joint United Nations Programme on HIV/AIDS (UNAIDS) presented an overview of the worldwide impact of HIV/AIDS and summarized the UNAIDS programme. HIV/AIDS was an unprecedented global catastrophe that affected up to a quarter of the adult population in some countries. Ninety-five per cent of those affected lived in developing countries. Africa had been hit the hardest; it had 10 per cent of the world's income, 70 per cent of the infections and 90 per cent of the deaths. Other countries had been affected too. There were some 6.5 million in Asia and 1.7 million in Latin America. Although Eastern Europe had appeared to be relatively unaffected in 1990, its infection rate was now growing rapidly. HIV/AIDS reached all levels of society and had undermined the gains in development and health that had been achieved in five decades. The macroeconomic impact was severe; the pool of unskilled and skilled labour had been reduced and it would take a long time to rebuild the human resource base. The UNAIDS programme had been created as a result of an ECOSOC resolution (1995). It had begun operations in 1996 with six co-sponsors (UNICEF, UNIDO, UNFPA, WHO, UNESCO, the World Bank). In 1999, the UN Drug Enforcement and Control Programme had become a co-sponsor. Cooperative agreements had been concluded with the UNHCR and the FAO. Its purpose was to organize a multi-sectoral response and to facilitate coordination at all levels. There were two main issues in the world of work: to prevent discrimination and to improve training and awareness-raising. Global and national business councils had already been established. An ILO/UNV project in the Caribbean had been ground-breaking. This resolution would serve as a landmark and ensure full support to effective and timely ILO action. On 8 June 2000, the Director of UNAIDS and the Director-General of the ILO would sign a cooperative framework agreement that would bring the ILO to the centre of the struggle against the epidemic.
- 14.** The Worker Vice-Chairperson remarked that, unusually, and probably uniquely, the Workers' group supported a resolution sponsored by the Employer members – in clear recognition of the importance of the issue. She believed there was a clear role for the ILO to play in addressing the issue, including through its existing instruments on occupational safety and health, and discrimination. Moreover, the Conference would devote a full day's discussion to HIV/AIDS. But the draft resolution provided an opportunity to move further, towards a specific programme of practical action focused on the world of work, which could be delivered on a tripartite basis. As the resolution was presented from an employers' perspective, she intended to improve its balance through the introduction of amendments that would reflect the interests of workers and those who lived with HIV/AIDS. Although HIV did not discriminate or recognize any boundaries, it was quite

clear that poor people and those who were socially and economically disadvantaged, notably women and young people, were disproportionately affected because of their limited access to the necessary education and care. In many developing countries public health programmes and institutions had been undermined by structural adjustment programmes, thus limiting access to preventive care and treatment. It was necessary, inter alia, to lower the cost of treatment and, in this context, she saw an important role for multinational pharmaceutical enterprises. The resolution should recognize the importance of involving trade unions in designing and administering programmes at the workplace, such as information programmes, condom distribution, negotiation to protect workers' rights and those unfairly dismissed. Some good work was already being achieved by trade unions, for example by developing and agreeing with employers on codes of practice and safeguards on the right to privacy and health screening. An important question was the practical measures employers would be willing to take and the resources they would be willing to commit to them. The resolution should set out a clear strategy for the ILO that it could implement through its technical assistance programmes at the regional level, including programmes to assist employers' and workers' organizations.

15. The Government member of Canada, speaking on behalf of the Government members of the Group of Industrialized Market Economies (IMEC) (Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, United Kingdom and United States), thanked the representative of UNAIDS for the information provided. As the report – *HIV/AIDS: A threat to decent work, productivity and development* – prepared for the special high-level meeting taking place at the Conference later in the week indicated, HIV/AIDS was a threat to workers' rights, to development, to enterprise performance, and to gender equality. Moreover, it increased child labour. In short, it was a major factor undermining the ILO's principles of decent work. The impact of HIV/AIDS on the labour force, however, went far beyond the workplace – to families, to communities, to nations. It was therefore appropriate that the Conference adopt a strong resolution demonstrating the ILO's commitment to play its role, in partnership with others in fighting this global epidemic. The IMEC governments supported the text of the resolution, which was concise, to the point, clearly focused on the world of work and the comparative advantage that the ILO – through its tripartite structure, its advocacy role in promoting fundamental rights at work, and its wealth of knowledge on workplace practices and relationships – could bring to the global partnership against HIV/AIDS. There were four areas that IMEC wished to see highlighted in the resolution. First, the fight against HIV/AIDS required national and global partnership with other organizations. The ILO could add distinct value in areas of advocacy by working through the social partners in providing knowledge and information on the impact of HIV/AIDS in the workplace, and in combating discrimination. The resolution clearly articulated the ILO's role and the IMEC governments looked forward to increased collaboration between ILO and UNAIDS. Indeed, the ILO should consider becoming a UNAIDS co-sponsor. Second, HIV/AIDS was a cross-cutting issue that should be taken into account in the ILO's major programmes in conjunction with both gender and development issues, as well as the four strategic objectives of decent work. Third, gender considerations for the impact of AIDS were very important, and the IMEC governments wished to see this clearly reflected appropriately in the resolution, including empowering women economically, socially, and politically in order to reduce their vulnerability to HIV/AIDS. Finally, the full impact of HIV/AIDS on children, including AIDS orphans, children exposed to infection and child labour, should also be strongly reflected in the resolution. While the IMEC governments were prepared to adopt the resolution as it stood, they were ready to discuss strengthening it along the lines indicated.

-
- 16.** The Government member of Namibia, speaking on behalf of African government members, noted that Africa had been hardest hit by the HIV/AIDS pandemic and he looked forward to a comprehensive and strong resolution. But it was not solely an African problem; it was a global problem that needed global responses to contain it. Moreover, it was not just a health problem; it was a multi-faceted and multi-dimensional development problem. The ILO Regional Meeting in Abidjan (December 1999) had adopted a resolution which, inter alia, called on member States to adopt programmes to collect statistics on HIV/AIDS, to document the problem and make it more visible and amenable to action, to launch multimedia information and education campaigns, and direct assistance to industry and communities to stimulate and support action at all levels. The meeting had advocated the promotion of a culture of fairness and ethics to embrace the weak, vulnerable and diseased; and the development of legal and social security systems which would provide protection to victims and society at large. The resolution should clearly state that HIV/AIDS threatened decent work and contain recommendations for each of the ILO's four strategic objectives. With regard to labour standards it was necessary to focus on non-discriminatory practices. The promotion of social dialogue should include awareness and education campaigns. Social protection should target vulnerable groups, particularly women and children, and ensure that social security programmes took account of the needs of victims of HIV/AIDS. Data collection and research were also important. Strategies for poverty reduction and employment creation should take full account of the pandemic. Two further aspects should be covered in the resolution namely, funding and cooperation between funding agencies, and research on a cure and affordable medication.
 - 17.** An Employer member from Austria stated that it was essential for the ILO to address this global social problem. First, it had to ensure that people were well informed about dangers and risks so as to avoid the spread of infection. Second, it had to ensure that those who were infected with HIV, but were not suffering from AIDS, and might be capable of working for ten years or more, were protected in the workplace.
 - 18.** An Employer member from the United Kingdom noted that, since the ILO's mandate was work, decent work and decent working conditions, it was appropriate for the Committee to discuss the subject in that context. He referred to the fear, resulting from ignorance, that many people had about working with others who had HIV/AIDS. This fear needed to be combated and overcome in humane and practical ways. Some industries and professions, such as the health-care sector, were particularly sensitive. The ability of workers suffering from HIV/AIDS to secure employment could be seriously impaired and attempts should be made to find solutions to their problems. The ILO should ensure that workable solutions were applied universally, wherever it was practical to do so. To this end, the resolution should call for a register of best practice. Governments could give a lead, particularly in countries where they were large employers. Trade unions were also employers, and all employers were responsible for what happened at the workplace. Provided they were fit for work, HIV/AIDS sufferers should be equal participants in the world of work.
 - 19.** The Government member of France fully supported the resolution, which should have two main objectives: to give rise to an ILO strategy and programme of action; and to raise the alarm about the threat of AIDS to society. As the Director-General had stated, this was a real-life situation, an ongoing drama that men and women were faced with in the workplace – one that required tripartite support. It was important that the Employers' group had taken this initiative. He stressed the importance of including the ILO standards on discrimination.
 - 20.** An Employer member from Saudi Arabia, speaking on behalf of employers' organizations of West Asia, said that HIV/AIDS was an important global issue. He emphasized the role of education in combating the disease and requested that countries intensify their efforts in

this respect by allocating the necessary resources for education regarding the dangers of the disease. Arab countries exported many foreign workers who were vulnerable to contracting HIV and he recognized the need to protect the health of these workers. He appealed for accurate data and transparency in reporting on AIDS and highlighted the need for additional research on HIV/AIDS.

- 21.** The Government member of the Netherlands said it was essential that knowledge of this universal threat was enhanced rapidly so that action could be taken. She reiterated the statement on behalf of the IMEC governments that the consequences of HIV/AIDS on child labour and gender should be reflected in the resolution. Due consideration should be given to the consequences of other changes in the labour market, such as the retention of older persons in the workforce due to economic necessity.
- 22.** A Worker member from Guinea said that no one had been spared from the scourge of HIV/AIDS as it affected everyone, particularly Africans. Whole populations were left with no hope of a cure because they were poor. He questioned the need for more meetings and called for more research and strategic thinking to combat the problem. Workers' organizations in Africa were making every effort, despite meagre resources, to raise awareness among workers and others, such as rural women. He emphasized the need for prevention. The ILO represented a source of great hope for Africans not only as regards this problem but, more broadly, in tackling poverty.
- 23.** A Worker member from Italy said that the resolution should fully reflect the needs of the tripartite constituents, but focus on the special concerns of workers. Moreover, it should be an effective tool for action, not merely an expression of goodwill. While HIV/AIDS was a threat to all, its impact depended on socio-economic conditions, with those at the bottom worst affected. She agreed with previous speakers, especially the representative of the Government of Namibia, on the need for an effective reorientation of international efforts towards affordability of treatment. There was also a need to consider how to deal with the risks that HIV/AIDS posed for future development in developing countries. While ensuring effective health care and social protection was a government responsibility, the social partners could play a major role since it was at the workplace where responsibility had to be translated into action, particularly in SMEs and in the informal sector. The social partners should cooperate closely in the design and implementation of programmes of action. However, unless they were well organized their efforts would be in vain. It was therefore important that workers were fully represented if trade unions were to play their role. The ILO should play a special role – and have the requisite tools – in combating this new form of discrimination against infected workers which had the potential to undermine basic rights.
- 24.** A Worker member from Brazil noted the widespread support for the draft resolution which, in its final form, should reflect the wishes of each group and contribute to finding solutions to the problem, taking into account that, while HIV/AIDS affected productivity, it was above all a health problem.
- 25.** A Worker member from Paraguay agreed that HIV/AIDS had to be addressed through a concerted effort from governments, employers, trade unions and civil society. This meant that each had to have sufficient resources, not just good intentions, to play its role. The importance of education, from primary to tertiary levels, could not be overstated if the fear that HIV/AIDS engendered was to be overcome.
- 26.** The Government member of India was pleased that this resolution had been selected and welcomed the degree of unanimity in the desire to deal with the problem in the light of the fact that 95 per cent of the 33 million infected people were in developing countries.

HIV/AIDS affected all. It had a major impact on all aspects of the world of work, including the age, skills and experience of the workforce, and on the rights of those infected or living with it. He agreed with other speakers that the seriousness of the HIV/AIDS pandemic meant that the resolution should be all-embracing and include the affordability of treatment and the mobilization of adequate resources and strategies to deal with abject poverty and improve the living and health conditions of those most affected – the poor.

27. The Government member of Poland agreed with the Government member of France about the need for a specific strategy that focused on essential issues. An ILO resolution should not try to provide an exhaustive list of proposals for action but focus on areas within the Organization's competence.
28. The Government member of China was pleased that, by selecting this resolution, the ILO was placing great importance on dealing with this issue. The spread of HIV/AIDS and related problems were no longer merely health issues; they directly affected the quality and quantity of labour resources. A lack of information about the disease led to social panic and an incorrect understanding which, in turn, led to discrimination against those who were HIV positive. Although discrimination was contrary to national legislations in the world, it existed and it was incumbent on employers' and workers' organizations to act together to counter it. He looked forward to the adoption of a comprehensive resolution that would help prevent the spread of HIV/AIDS and address the problems it was causing in the world of work.
29. A Worker member from Argentina said that the degree of unanimity expressed meant that the resolution would be a practical, concrete tool that would enable the social partners to progress in assisting workers and their dependants, particularly the poor and needy. Any policy that took power from workers and impoverished them should be condemned since it increased the risks they were exposed to.
30. The Government member of Finland supported the position of the IMEC governments and looked forward to the ILO forming an important part of the international partnership to deal with HIV/AIDS and its elimination. It was important to address the issue of discrimination through programmes of education and information at the workplace, with full cooperation between employers' and workers' organizations. This resolution provided the ILO with a unique opportunity for action that would make a real impact on the problem of HIV/AIDS.
31. The Government member of Sudan said that African members of all three groups had fully supported the resolution in view of its importance in their region. But HIV/AIDS was not confined to Africa; it was important for all workers and humankind. A strategy to eradicate the disease was needed, including sensitizing all sectors of society to the issue. It was important to develop appropriate ethics and moral codes so that people's lives could be influenced in a positive way. Resources – at the national, regional and international levels – were the key to giving priority to the elimination of HIV/AIDS.
32. The Government member of Lesotho called on all members of the Committee and the Conference to be steadfast in controlling then eradicating HIV/AIDS. The time was right to take up arms against it and the resolution should provide the stimulus for a collaborative approach, including through the ILO's technical cooperation programme, to dealing with HIV/AIDS.
33. The representative of UNAIDS responded to issues raised by a number of speakers. She welcomed the emphasis on dealing with workplace and other discrimination and said that

UNAIDS was keen to collaborate with the social partners in addressing the needs of vulnerable groups, notably women and young people. HIV/AIDS was not age-neutral and ravaged the young, most productive sectors of society. The development and dissemination of best practices at the workplace were key aspects of the secretariat's work but recent initiatives by trade unions and employers meant that they needed to be updated. Concerns about treatment and care, in addition to prevention, were receiving more attention, including at the recent World Health Assembly, where the availability and delivery of drugs, the development of vaccines and strengthening of health systems had been discussed. In response to a request from the Worker Vice-Chairperson for examples of UNAIDS' activities that involved the social partners, at the workplace, country or regional levels, or for impediments to such collaboration, she said that UNAIDS welcomed partnerships. She referred to the International Partnership Against AIDS in Africa which commenced in 1999 and was the first of its kind. It involved five sectors: African leaders, developed countries, the UN, the private sector and the community, and focused on country-level activities as an input to coordinated national, regional and global responses. She also referred to specific programmes with social partners, including in Thailand, India and the Caribbean. Moreover, the ILO had contributed in a substantive way to the work of theme groups and country teams. Unfortunately, resources had not kept pace with the expansion of the disease despite increased national efforts. She looked forward to increased cooperation with ILO following the signing of a Memorandum of Understanding between ILO and UNAIDS during the Conference which, together with a strong, action-oriented resolution, should be a precursor to close ILO-UNAIDS cooperation.

- 34.** The Employer Vice-Chairperson concluded by thanking the representative of UNAIDS for her contribution and her encouraging remarks about the ILO's work in this field. He was heartened by the strong support expressed for the resolution, particularly regarding discrimination, social exclusion and gender, notwithstanding different emphases from time to time. The resolution had been submitted from the Employers' point of view and he looked forward to amendments that would address the particular concerns of governments and workers and lead to a final text that focused on the ILO's areas of competence, without trying to be a means to address all the problems. He gave examples of specific measures that employers' organizations and individual companies had implemented. These included discussions, collective agreements, codes of practice and policies concerning recruitment, confidentiality, counselling of workers and management, voluntary testing, support for hospices, special leave arrangements and participation in national conferences – all of which required resources. It was important to take a practical approach, bearing in mind that there was no single answer. Different issues were important depending on national circumstances. Prescriptive approaches should be avoided and emphasis placed on policy and strategy that encouraged a climate of national and local problem-solving.
- 35.** The Worker Vice-Chairperson said the discussion had been useful and she appreciated the additional information on practical programmes with the social partners provided by the representative of UNAIDS. She agreed that the scope of the resolution should not extend beyond the ILO's areas of competence. The Workers' group was seeking a specific dimension to the HIV/AIDS problem that could be addressed by governments, employers and trade unions through focusing on the world of work. It was also important to explore means for greater collaboration between ILO and UNAIDS and other relevant organizations, and to pinpoint where ILO could make the most impact. The ILO should therefore be part of the long-term strategic planning process on how HIV/AIDS should be addressed. The resolution should not, however, address questions of ethics and morality in the light of the many different views that obtained.

Consideration of amendments

- 36.** Sixty-two amendments to the draft text, numbered D.7 to D.68, were submitted for examination.

Preamble

- 37.** The Workers' group submitted an amendment (D.42) to replace the second part of paragraph 1 with a phrase that identified groups – women, young people, migrant workers and other disadvantaged and excluded groups – that, according to published data, were disproportionately affected by HIV/AIDS. The purpose was not to single them out but to acknowledge their vulnerability. It was the Workers' group's intention to ensure that the text reflected the reality that socio-economic situations mattered.
- 38.** The Employer Vice-Chairperson said that his group sought a focused, meaningful statement from the International Labour Conference through a clear, concise resolution that would have an impact on the promotion of the fight against HIV/AIDS. There were a number of similar amendments to different parts of the text and it would be helpful if there was some consultation over them. There were also several amendments which sought to draw attention to particular groups or regions. The problem with this approach was that those not included could feel their concerns were not considered to be important. He was prepared to support the amendment, notwithstanding his view that the text as drafted was all-encompassing.
- 39.** The Government member of India also favoured a focused, meaningful statement in an all-embracing resolution. He agreed with the amendment and noted that the most disadvantaged groups were in developing countries. He proposed a subamendment that took this into account by mentioning people in developing countries.
- 40.** The Government member of Canada announced that she would be speaking throughout on behalf of the IMEC Government members. They too wanted a concise, focused resolution that centred on the world of work and the comparative advantage the ILO could bring to the global partnership fighting against HIV/AIDS. Some of the amendments went beyond this and were more suited to other international forums; some overlapped and could be merged; and some contained lists with inevitable exclusions. The original text should be retained since a more general approach was better. If there were to be a list, however, children and older workers should be added to it.
- 41.** The Worker Vice-Chairperson could accept the subamendment, which was a factual statement.
- 42.** The Government members of Argentina, Malaysia and Pakistan supported the amendment as subamended, with the latter proposing the further addition of indigenous people. The Government member of Mexico agreed and proposed to add a reference to the Caribbean region.
- 43.** The Employer Vice-Chairperson did not support any of the subamendments and reiterated his concerns about long lists.
- 44.** The Government member of Nigeria considered the original text to be all-embracing; HIV/AIDS affected everyone. There were risks from having a clumsy wording.
- 45.** The Worker Vice-Chairperson reiterated her group's concern for a global focus recognizing that HIV/AIDS had a disproportionate impact on disadvantaged groups

wherever they came from. She did not favour a list of affected groups. She proposed a subamendment to refer to economically as well as socially disadvantaged and excluded groups that overcame the need for a long list while retaining the important point that socio-economic status was a deciding factor. This was accepted by the Government member of Canada.

46. The Government member of India, supported by the Government members of Pakistan, Malaysia, Mexico and Indonesia, stressed that the resolution had to recognize the special circumstances faced by developing countries by mentioning them in the paragraph. Their plight was regardless of social and economic conditions not because of them. He would also agree to including references to the other groups previously mentioned, whereas badly affected regions would be covered in a subsequent paragraph.
47. The Employer Vice-Chairperson said the discussion illustrated his group's concerns, and it would recur if the Committee failed to realize that all groups were implicitly included. The latest proposal from the Workers' group was a way forward and he appealed to governments to accept it.
48. The Government member of Namibia, speaking on behalf of the African governments, had no problems with the original text. If the preamble looked at global issues, specific situations, including those of developing countries, could be dealt with later.
49. On the recommendation of the Chairperson, amendment D.42 was adopted as subamended by the Workers' group.
50. The Government member of India, seconded by the Government member of Mexico, submitted an amendment (D.21) to add a new paragraph after the first paragraph in the preamble to highlight the disastrous impact of HIV/AIDS on developing countries, including statistics from a resolution of the recent World Health Assembly.
51. The Worker Vice-Chairperson supported the thrust of the amendment and wondered if it could be combined with elements of two others (D.26 and D.27), submitted by the Government member of Pakistan, that also sought to add new paragraphs.
52. The Employer Vice-Chairperson agreed, while not wishing to get into the same situation as before by having long lists.
53. The Government member of Pakistan, seconded by the Government member of Mexico, presented the two amendments referred to above and proposed to include in the first of them the second part of D.21 that referred to the spread of HIV infection in Asia and, on the suggestion of the Government member of Mexico, in the Caribbean.
54. The Government member of Brazil was concerned about quoting data that could soon be out of date and thus detract from the impact of the text and proposed a subamendment to use "millions" and "vast majority" instead. In the light of the source of the data, the subamendment was not supported.
55. The Worker Vice-Chairperson accepted the proposed merger of D.21 and D.26 and wondered if the reference to regional sustainability in D.27 could be incorporated too.
56. Several Government members (Argentina, Canada, Cuba, India, Liberia, Namibia) and the Employers' group supported the merger, with some agreeing that adding elements of D.27 would further strengthen it.

-
57. On proposals from the Government member of Mexico and the Worker Vice-Chairperson to delete the first part of D.27 to avoid duplication and add a reference in the second part that in the rest of the world a complacent attitude could not be adopted nor efforts for prevention reduced, this text was added to the other and the amendment was withdrawn.
 58. A new paragraph after the first paragraph of the preamble was adopted.
 59. The Government member of Namibia, on behalf of Government members of the African group, submitted a three-part amendment to paragraph 2 (D.34) to replace “considering” by “recognizing” and “potentially ominous” by “disastrous”. Both received widespread support and were adopted. The third proposal was to add “especially of developing countries”.
 60. The Employer and Worker Vice-Chairpersons said that the issues concerning developing countries had been resolved and another specific reference was not necessary. This view was supported by the Government members of Cuba and Malawi, whereas the Government members of Pakistan, India, Libyan Arab Jamahiriya felt the reference should be made.
 61. In the light of the discussion the Government member of Namibia withdrew the third part of the amendment, which was then adopted unanimously.
 62. Two amendments submitted by the Workers’ group (D.43 and D.44), to retain the focus on the health aspect of HIV/AIDS while continuing to recognize that it was also a developmental crisis, were supported by the Employers’ group, the Government member of Namibia on behalf of the African governments, and the Government member of Canada who said they strengthened the text. The amendments were adopted unanimously and paragraph 2, as amended, was adopted.
 63. The Government member of India, seconded by the Government member of Pakistan, introduced an amendment (D.22) to refer to the adverse effects of HIV/AIDS on enterprise performance in paragraph 4. The proposal reflected the summary of the ILO report *HIV/AIDS: A threat to decent work, productivity and development*.
 64. The Employer Vice-Chairperson did not support the text and the Worker Vice-Chairperson understood the intention but preferred her group’s proposed amendment.
 65. The Government member of Argentina wondered if paragraph 4 was a more appropriate place since it referred to enterprises while paragraph 3 referred to those at work.
 66. The Government member of India agreed to reconsider his proposal during the discussion on paragraph 4 and withdrew the amendment.
 67. The Government member of Canada introduced an amendment (D.7) submitted by IMEC Government members to include a reference to the retention of older persons in the labour force in order to make the link between HIV/AIDS, the problem of child labour and the impact on older workers who might have to work longer to counter labour shortages.
 68. The Employer Vice-Chairperson supported the amendment.
 69. The Worker Vice-Chairperson had had some concerns that the amendment could send the wrong signals to older workers. She realized that this was not the case and supported the amendment on the understanding that older workers would not be discriminated against because of their age.

-
70. The amendment was adopted and paragraph 3, as amended, was adopted.
 71. The Government member of Namibia, on behalf of the African governments, introduced an amendment (D.35) to replace paragraph 4 with a sentence that recognized that HIV/AIDS threatened decent work in an all-embracing manner. The purpose was to communicate the meaning covered by decent work and give the text a tighter focus.
 72. The Worker Vice-Chairperson agreed with the linking of the concept of decent work to the discussion of HIV/AIDS and suggested incorporating the amendment in one she had submitted (D.45) to replace the paragraph with one spelling out the impact of HIV/AIDS on economic growth and employment in all sectors of the economy.
 73. The Employer Vice-Chairperson preferred the shorter text, as did the Government member of Canada who added that it might be better to be more explicit about decent work for the benefit of a wider audience. There was therefore scope for some combination of the two amendments.
 74. Following consultations between the authors of the two amendments, the Worker Vice-Chairperson subamended D.45 so that it started with the text of D.35, which was then withdrawn. In addition, the Worker Vice-Chairperson proposed to delete the references to specific sectors and identified health systems as one of those challenged. She considered that in the light of these changes the resolution (D.32) submitted by the Government member of Pakistan was no longer necessary. The Employer Vice-Chairperson agreed. The amendment as subamended was adopted.
 75. The Government member of Pakistan felt that her amendment to split the paragraph in two and add references to developing countries could have been included, but she agreed to withdraw it and the replacement text for paragraph 4 was adopted.
 76. The Worker Vice-Chairperson proposed an amendment (D.46) to add a new paragraph that stressed the need for low-cost medicines which went to the heart of the ability of countries to meet the cost of dealing with HIV/AIDS. Prohibitive costs closed off options for treatment. The preamble was an appropriate place to mention this issue, since the primary responsibility rested with WHO. She noted, however, that there was a similar amendment (D.36) and was prepared to withdraw in favour of it.
 77. The Government member of India agreed that lack of affordable drugs was a serious handicap for developing countries. It was an important issue that was missing from the original text and he felt it should be included in the operative part too since the resolution should be all-embracing. He also preferred the text submitted by the Government members of the African group.
 78. The Government member of Canada, speaking on behalf of IMEC governments, endorsed by the Government member of the United States, supported the substance of the amendments, but noted that this issue was within the mandate of WHO not ILO. Provided that this was the sole reference to the topic in the resolution, she would recognize the consensus and support the second amendment.
 79. The Government member of Egypt supported the amendment proposed on behalf of the African governments and the Workers' group withdrew their amendment.
 80. The Worker Vice-Chairperson introduced an amendment (D.47) to paragraph 5 to provide a precise reference to preventive action at the workplace which was the focus of the resolution, subamending it by the addition of "including".

-
81. The Employer Vice-Chairperson had been concerned that the original amendment was too specific for the preamble, the purpose of which was to set the scene, but he accepted the text as subamended, as did the Government member of Namibia on behalf of the African governments. The amendment, as subamended, was adopted.
 82. The Workers' group had submitted an amendment (D.48) to add "integrated and sustained" instead of "multidimensional" in paragraph 5 since the original text did not signal these two important issues; ongoing action was needed on a range of fronts. The Worker Vice-Chairperson would also accept part of the text of a two-part amendment submitted by the Government members of the African group.
 83. The Employer Vice-Chairperson did not think the amendment improved the text and preferred that of the African governments' group.
 84. The Government members of Canada, India, Pakistan and Namibia, on behalf of the African governments, believed that the two amendments could be combined.
 85. The Worker Vice-Chairperson proposed a subamendment to retain "multidimensional" and add "and a coordinated international response" from amendment D.37.
 86. The new text was supported by the Employers' group and the Government members of India and Egypt and the amendment, as subamended, was adopted.
 87. The Worker Vice-Chairperson introduced an amendment (D.49) to include a reference to families and communities in paragraph 5. HIV/AIDS did not just affect infected people and the wider implications, which could influence the type of response, should be recognized.
 88. The Employers' group was also concerned about communities and families but felt they were already covered in the text. The spokesperson added that much time was being spent on adding text when the issues were already covered.
 89. The Government member of Canada, speaking on behalf of IMEC governments, agreed that a concise text was the objective but believed the amendment was appropriate and supported it.
 90. The Government member of Pakistan agreed and suggested replacing "including" with "especially". The two proposals were supported by the Government member of Egypt who appreciated the Employers' group's point of view but felt this was a welcome addition. The Government member of Ecuador agreed.
 91. The Worker Vice-Chairperson did not wish to single out the two groups and preferred "including", as did the Employer Vice-Chairperson. The amendment was adopted.
 92. The Government member of Namibia, on behalf of the African governments, recalled that the first part of the amendment (D.37) had been dealt with earlier and she withdrew it. She proposed, through the second part, to refer to those who could not afford to combat the disease.
 93. The Worker Vice-Chairperson did not support the proposal, the essence of which was covered earlier in the text. The thrust of paragraph 5 was to ensure that it focused on all victims.

-
- 94.** The Government member of India, supported by the Government member of Pakistan, proposed to refer “particularly” to those who could not afford to combat the disease. The Government member of Finland felt that the reference was a good idea but could weaken the text unless it was contained in a separate paragraph.
 - 95.** The Employer Vice-Chairperson appealed again to Committee members to avoid adding lists to general statements in the preamble. He did not support the second part of the amendment, which was not adopted.
 - 96.** The Government member of Brazil, seconded by the Government member of Argentina, had proposed an amendment to add a new paragraph that referred to several relevant Conventions. He withdrew it in favour of a more comprehensive one that had been submitted by the Workers’ group.
 - 97.** The Government member of Israel, seconded by the Government member of Nigeria, proposed to add a new paragraph (D.17) to refer to the work of the International Partnership Against AIDS in Africa which was an important collaborative initiative in response to the grave problems in the region.
 - 98.** The Workers’ group appreciated the intention but felt that by singling out this initiative others could be overlooked. The spokesperson proposed a broader text in a subamendment that referred to a number of initiatives being undertaken by organs of the United Nations and the specialized agencies.
 - 99.** The Employer Vice-Chairperson agreed that it was best to recognize initiatives in a general way. The Government member of Ecuador, however, preferred to keep to specific references.
 - 100.** The Worker Vice-Chairperson proposed a subamendment that included UN and specialized agency initiatives since the partnership mentioned was technically not a UN initiative. This proposal was supported by the Government members of Egypt and Israel and by the Employers’ group and was adopted.
 - 101.** The Government member of Namibia presented an amendment (D.36) that had been submitted by the Government members of the African group to add a new paragraph that recognized the problems of not having access to affordable drugs and treatment. She recalled that the Workers’ group had withdrawn an amendment (D.46) in its favour.
 - 102.** The Workers’ and Employers’ groups and the Government member of Pakistan supported the amendment. The Government member of Finland pointed out that while he could go along with the consensus, the paragraph could now give an impression that the spreading of HIV could be prevented with the help of drugs, which was not the case. The Government member of Mexico added that while the lack of drugs and access to treatment increased the human suffering and social cost of HIV/AIDS, it did not accentuate its spread. The amendment was adopted.
 - 103.** The Worker Vice-Chairperson introduced an amendment (D.50) to insert a new paragraph that recalled the adoption of several Conventions and the Declaration on Fundamental Principles and Rights at Work. It was appropriate to refer to existing ILO instruments that could be helpful in the fight against HIV/AIDS. Moreover, it was usual practice in such texts to make the link with the ILO’s existing work. She noted that amendment D.16 had been withdrawn in favour of this one.

-
- 104.** The Employer Vice-Chairperson wanted to know whether the *Declaration* was an “instrument” and whether it was appropriate to include it and Conventions in the same reference. What was the effect, if any, of including references to ILO instruments in a resolution? He noted that some of the Conventions listed had few ratifications.
- 105.** In reply, the Representative of the Secretary-General said that the term “ILO instruments” referred not only to Conventions and Recommendations, but included all decisions that were normative in nature, including resolutions and the ILO Declaration on Fundamental Principles and Rights at Work. The fact that the reference was in the preamble showed that the sponsors of the resolution were aware of the instruments and were taking them into account.
- 106.** The Government member of Egypt noted that the Declaration was a political document based on principles contained in Conventions. His proposal that it be referred to separately was widely supported and the references were separated in a subamendment proposed by the Worker Vice-Chairperson. The new paragraphs, as amended, were adopted.
- 107.** The Worker Vice-Chairperson submitted an amendment (D.51) that proposed a new paragraph concerning the impact of structural adjustment programmes on a number of public services. She said that structural adjustment programmes in many developing countries had undermined the capacity to provide proper health and other services. It was important to acknowledge that the manner in which such programmes were introduced and pursued affected the ability of governments and the social partners in many developing countries to confront the challenges of HIV/AIDS.
- 108.** The Employers’ group appreciated the problems with the implementation of some structural adjustment programmes but could not support such a general statement since some programmes had been successful.
- 109.** The Government member of Canada, speaking on behalf of IMEC governments, said the statement was factually incorrect and did not support it. It was a controversial issue that had been widely debated in other forums and the broad statement, which lacked balance, was outside the thrust of the resolution.
- 110.** The Government member of Sudan proposed to refer to “the negative effects” of the programmes.
- 111.** The Government member of Namibia agreed with the thinking behind the amendment and, in light of the position of the Employers’ and the IMEC groups, proposed that the text refer to “the effect of some structural adjustment programmes”. This subamendment was supported by the Workers’ group and the Government members of India, Argentina and Sudan.
- 112.** The Employers’ group and the Government member of Canada said it was still not even-handed and did not support it.
- 113.** The Worker Vice-Chairperson acknowledged that the proposed text set out a controversial point of view but said many Worker members from developing countries had been adversely affected by structural adjustment programmes. Thus they should be referred to. In an attempt to meet the concerns of the Employers’ and IMEC groups, she proposed a subamendment that the programmes “may” have an effect.
- 114.** The Government member of India supported the proposal but the Government member of Canada said it was still not neutral. She proposed to start the paragraph with “Noting the

effect of some structural adjustment programmes” and was strongly supported by the Employers’ group.

115. The Government member of Egypt suggested referring to “negative side-effects”, to which the Employer Vice-Chairperson replied that there were positive effects too.
116. The Government members of Ecuador, Nigeria and Cuba wanted “effects” to be explained.
117. The Worker Vice-Chairperson said it was not just workers who felt strongly about the negative effects of structural adjustment programmes but, in recognition of the limited support for the Workers’ group’s proposal, she would support the subamendment of the Government member of Canada. The reference to structural adjustment programmes made it clear they should be looked at from a national perspective in the context of the fight against HIV/AIDS.
118. The new paragraph was adopted as amended.
119. The Worker Vice-Chairperson submitted an amendment (D.52) to insert a new paragraph that focused the resolution on specific workplace issues and the role of employers’ and workers’ organizations working with governments in the fight against HIV/AIDS. In other words, bringing the role of the social partners to the fore.
120. The amendment was supported by the Employers’ group and the Government members of Ecuador, Pakistan and the United States. While also supporting the amendment, the Government member of Namibia wondered whether a reference to “civil society” should be added.
121. The Worker Vice-Chairperson appreciated the fact that everyone had to be involved in the fight against AIDS but since the reference here was to the workplace, the focus had to be on the role of employers’ and workers’ organizations.
122. The Employer Vice-Chairperson agreed and noted that the term “civil society” had different meanings in different countries. The Government member of Cuba concurred, saying that the pandemic required concerted action by the social partners.
123. The amendment was adopted and, with it, the preamble as amended.

Operative paragraphs

124. The Government member of India, seconded by the Government member of Egypt, introduced a two-part amendment (D.23) to operative paragraph 1(a) to insert a reference to the involvement of civil society and to refer to preventing the spread of HIV/AIDS. He reiterated the important role of civil society in health matters that was not confined to any particular segment of national life. In regard to his second proposal, it was important to start at the beginning, with the prevention of the spread of the disease.
125. The Employer Vice-Chairperson restated his concerns about the use of the term “civil society”. National awareness included all society so there was no need to single out any segment. The second part of the amendment detracted from the emphasis on the workplace – eliminating discrimination and dealing with the culture of denial – that was the central thrust of the resolution. He did not support the amendment.
126. The Government members of Mexico and Pakistan supported the amendment saying that civil society played an important role in awareness-raising; governments and the social

partners could not do everything. The second part strengthened the text. The latter speaker proposed to remove any ambiguity about civil society by referring to relevant non-governmental organizations (NGOs).

127. The Worker Vice-Chairperson was still concerned about referring to civil society, including NGOs. It was for employers' and workers' organizations to focus on the workplace. While it might be appropriate to include relevant NGOs from time to time, she did not favour a specific reference to them. She supported the second part of the amendment which was consistent with earlier considerations.
128. The Government members of Argentina and Cuba supported the amendment saying that awareness should be developed now and involve all of civil society, which meant NGOs.
129. The Government member of Canada, speaking on behalf of IMEC governments, recalled a similar discussion during the development of Convention No. 182 and suggested using "other concerned groups as appropriate" which had been agreed at that time.
130. The Employers' and Workers' groups accepted this formulation. The Employer Vice-Chairperson suggested inserting "and thereby" at the end of paragraph 1(a) and then inserting the second part of the amendment which then avoided undermining the issues of culture and denial.
131. The amendment as subamended was adopted. Paragraph 1(a) was adopted as amended.
132. The Worker Vice-Chairperson, having regard to the slow rate of progress to date and in the interests of securing a resolution, the global importance of which her group recognized and supported, announced the withdrawal of 11 of the remaining amendments that had been submitted to the operative part of the text (D.53, D.54, D.55, D.56, D.57, D.58, D.62, D.64, D.66, D.67, D.68).
133. The Government member of India pointed out that under article 63.8(2) of the Standing Orders it was possible for another member to reintroduce without previous notice an amendment that had been withdrawn. He said that he saw value in some of the amendments that had just been withdrawn and may move some of those in the course of the discussion. He introduced an amendment (D.25), which was seconded by the Government member of Pakistan, to replace paragraph 1(b) with a text that included a reference to all other relevant organizations, including civil society. All had a role to play in addressing the pandemic.
134. The Worker Vice-Chairperson did not support the amendment for the reasons that had been put forward earlier in relation to including civil society in the text. This view was shared by the Employers' group.
135. The Government member of Lebanon supported the amendment since the more parties that were involved in the fight against HIV/AIDS the better.
136. The Government member of Canada said that the focus in this paragraph was on the social partners. She did not support the amendment and noted that a majority of the Committee held the same view.
137. The amendment was not adopted. Paragraph 1(b) was adopted unchanged.

-
- 138.** The Government member of Pakistan, seconded by the Government member of Egypt, moved an amendment (D.28) to paragraph 1(c) to replace “groups” by “those”. The draft text was too restrictive because it excluded individuals. “Those” included everyone.
- 139.** The Worker Vice-Chairperson opposed the amendment. The draft text was all-inclusive and she felt that there was nothing to be gained in changing text if the outcome was substantially the same. Everyone affected was covered in the paragraph as drafted.
- 140.** The Employer Vice-Chairperson agreed that the text was clear; it referred to all groups and he opposed the amendment. He added that the original text strengthened occupational health and safety systems to the benefit of all.
- 141.** The Government members of India, Sudan, Tunisia, Lebanon, Syrian Arab Republic, and Namibia – on behalf of Government members of the African group – supported the amendment on the grounds that “groups” was too restrictive. Moreover, it was not necessarily groups that were at risk; it could be individuals. Were there any groups who were not at risk? The Government member of Tunisia suggested mentioning both persons and groups.
- 142.** The Government member of Canada, speaking on behalf of IMEC governments, and the Government member of Poland opposed the amendment.
- 143.** The Government member of Pakistan appealed to the Committee to accept the amendment, particularly if it made little difference to the meaning but extended the coverage.
- 144.** The Worker Vice-Chairperson reiterated that the meaning of the text was clear and the Committee should move forward in the light of the majority views expressed against the amendment.
- 145.** After the Chairperson had declared the amendment lost since the clear majority of those who had taken the floor had opposed it, the Government member of Pakistan called for a record vote.
- 146.** After several procedural points were made concerning the merits, procedure and practice of voting – by show of hands and by roll-call, including reference to article 63.7 (2)(a) of the Standing Orders – the Chairperson proposed that the amendment be decided by a show of hands.
- 147.** There were 579 votes in favour, 4,377 votes against, with no abstentions and the amendment was rejected.
- 148.** The Government members of the IMEC group had submitted an amendment (D.8) to add the words “in particular women and children” to the end of paragraph 1(c). In the light of the discussion and vote on the previous amendment, the Government member of Canada withdrew it.
- 149.** The Government member of India, supported by the Government member of Egypt, reintroduced it.
- 150.** The Worker Vice-Chairperson opposed the amendment, as did the Employer Vice-Chairperson who added that he would oppose any amendments that had been withdrawn and were subsequently re-introduced.

-
- 151.** The amendment was not adopted and paragraph 1(c) was adopted unchanged. There were no amendments to paragraph 1(d) which was adopted unchanged.
- 152.** The Government member of Canada, speaking on behalf of IMEC governments, had proposed an amendment (D.9) to insert a new paragraph after paragraph 1(d) which called for the putting in place of workplace anti-discrimination policies for people living with HIV/AIDS. She noted that a similar amendment had been submitted for later in the text and withdrew her group's amendment in its favour.
- 153.** The Government member of Argentina, seconded by the Government member of Brazil, proposed an amendment (D.33) to insert a new paragraph after paragraph 1(d) to promote the inclusion of the problem of HIV/AIDS in workers' training programmes. She too was keen for the adoption of a sound resolution and pointed out that since ignorance was a major cause of discrimination, its inclusion in training programmes, especially workplace training, would lessen the incidence of discrimination against HIV/AIDS sufferers.
- 154.** The Worker Vice-Chairperson appreciated the sentiment behind the amendment but said it was covered in an amendment from her group, which she preferred. She opposed the amendment.
- 155.** The Employer Vice-Chairperson understood and appreciated the need for training but considered the amendment to be too prescriptive. Research and a meeting of experts would recommend more appropriate measures. He opposed the amendment.
- 156.** The Government member of Egypt supported the general principle of the amendment, but appreciated the Employers' group's point of view. HIV/AIDS could benefit from further research and he would prefer a more general statement.
- 157.** The Government member of Argentina replied that it was not intended that the text be prescriptive; she merely wanted to increase awareness and knowledge of the disease at the workplace. She was prepared for the topic to be considered later in the text and withdrew the amendment.
- 158.** The Government member of Namibia introduced an amendment (D.38) on behalf of Government members of the African group to replace paragraph 1(e) by a text that addressed the resource constraints faced by heavily indebted countries when trying to combat HIV/AIDS. She proposed to subamend the text by linking debt relief directly to the allocation of resources for combating HIV/AIDS instead of referring to debt cancellation.
- 159.** The Employer Vice-Chairperson sympathized with the issue but felt that the original wording had a wider meaning. Moreover, the question of debt was not one for the ILO. He opposed the amendment.
- 160.** The Worker Vice-Chairperson also recognized and appreciated the problems of developing country debt. She believed, however, that the text should be read to include all resources for fighting HIV/AIDS, not just debt relief. The existing text was appropriate and she opposed the amendment.
- 161.** The Government member of Canada, speaking on behalf of IMEC governments, agreed that the current text was flexible and general. As debt relief was being discussed in other forums it was not appropriate to include it in the resolution. She opposed the amendment.
- 162.** The Government members of Egypt, Malawi, India and Pakistan supported the amendment in view of the prevalence of HIV/AIDS in countries saddled with huge debts and the

burden of servicing them. Debt relief was being discussed in other forums, including in WHO which acknowledged that developing countries lacked the resources to fight HIV/AIDS. While the focus was on the world of work, the text made no mention of how resources should be mobilized.

- 163.** The amendment was not adopted and paragraph 1(e) was adopted unchanged.
- 164.** The Worker Vice-Chairperson again expressed concern about the rate of progress and reiterated her group's desire to adopt a resolution. She moved that the discussion be closed.
- 165.** The Employer Vice-Chairperson supported the motion. He too was concerned about the rate of progress and wanted to achieve the objective of adopting a resolution. An Employer member from Austria said time was running out. The Committee had a duty to develop a sound resolution. Failure to adopt a resolution would give the ILO a bad image in the eyes of the world.
- 166.** Following several points of order and questions about article 64 of the Standing Orders, the right to speak and the fate of undiscussed amendments and the text of the resolution, the Committee sought the advice of the Legal Adviser.
- 167.** The Legal Adviser said that a motion of closure could be moved on the resolution under discussion provided that one-fifth of the members present supported it. A simple majority decided whether or not closure occurred. The sponsor, or one of the sponsors, of the resolution was entitled to speak on it following closure, after which the text of the resolution – as amended so far and in its original form for the text that had not yet been discussed – would be put to the vote. If the motion for closure was rejected, the discussion would continue. Any amendments that were under discussion when the motion for closure was moved would be voted on first. The Legal Adviser understood that this was not the case on this occasion. Any amendments that had not been discussed at the time of the moving of the motion for closure were no longer considered. In response to a question the Legal Adviser confirmed that once the voting procedure was under way, it continued to its conclusion regardless of the normal closing time of the sitting.
- 168.** The result of a vote by show of hands on the motion to close the discussion was 4,557 votes in favour, 483 votes against, with no abstentions. The Chairperson declared the motion carried.
- 169.** The Government member of Egypt disputed the validity of the result and called for a record vote.
- 170.** The result of a record vote on the motion to close the discussion was 4,641 votes in favour, 504 votes against, with no abstentions. The Chairperson declared the motion carried.
- 171.** The text of the resolution concerning HIV/AIDS and the world of work as amended was adopted by consensus.

Resolution concerning the ILO's role in social development in the twenty-first century

General discussion

- 172.** The Worker Vice-Chairperson was very pleased that this resolution was given a high priority by the Committee as her group believed that it was the right time to restate the

fundamental and important role the ILO played. The resolution provided a valuable opportunity to acknowledge the changing role of the ILO as it responded to new challenges presented by globalization and its consequences, particularly for working people. The time was right also in view of the forthcoming Special Session of the United Nations General Assembly to be held in Geneva later in the month. This resolution was a comprehensive statement emphasizing the role of the ILO in addressing the economic and social dimensions of globalization. The concept of decent work was at the centre of the ILO's efforts in this respect. She highlighted several important issues. The resolution encouraged governments to reassess their macroeconomic policies with the aim of greater employment generation and a reduction in poverty levels. It endorsed the ILO's global programme on decent work as a strategy for the better integration of economic and social policies. It called on governments and international institutions to support the ILO fully and to cooperate to provide opportunities for all women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity. This could best be achieved by creating employment, improving social protection, promoting social dialogue and promoting human rights at work. The resolution requested the ILO to initiate a coordinated exchange of best practices in the field of employment policies, in order to reduce unemployment, to enhance the quality of work and employment, and to ensure the right of men and women to equal pay for equal work or work of equal value. The text recognized the importance of the ILO Declaration on Fundamental Principles and Rights at Work and urged governments to promote its implementation. It also encouraged ratification and application of other ILO Conventions, including the new Convention No. 182 on the worst forms of child labour, and those on employment policy and providing protection to migrant workers. Of core interest was the question of safeguarding and promoting respect for basic workers' rights, in particular the prohibition of forced labour and child labour, freedom of association and the right to organize and bargain collectively, and non-discrimination in the workplace. Greater coordination among multilateral organizations was needed so that the international system could pursue its policies and activities in support of country efforts to respect, promote and realize fundamental principles and rights at work. The resolution called upon the private sector to develop and implement initiatives to enhance the quality of employment through, inter alia, adhering to the Global Compact initiative of the United Nations Secretary-General. Finally, the resolution stressed the importance of strengthening employers' and workers' organizations with a view to developing more effective social dialogue for the formulation of labour, social and economic policies.

- 173.** The Government member of Canada, speaking on behalf of IMEC governments, said that the present resolution was similar to that on HIV/AIDS since it affected the ILO's four strategic objectives and provided an opportunity for the ILO to play a key role in partnership with other multilateral agencies. She was pleased it had been accorded a high priority. It reaffirmed commitment to the basic principles and values of the Organization. It contributed to a wider global cause, namely the realization of the ambitious goals of the World Summit on Social Development – placing people at the centre of development, eradicating poverty, promoting full and productive employment, and fostering social integration to achieve stable, safe and just societies for all. This resolution was balanced. It was a merger of three separate resolutions on social development, employment and implementing decent work. The merged version better reflected the ILO's contribution to the platform of action that was expected to be adopted by the forthcoming Special Session of the United Nations General Assembly. The resolution encompassed the ILO's special responsibilities for employment generation and the protection of basic workers' rights stipulated in Copenhagen in 1995. However, rapid globalization had changed the world of work since 1995 and this resolution carried forward the ILO's commitment to lead in the areas of its competence and comparative advantage. As the Director-General had noted on many occasions, there had to be an integrated approach to social and economic

development if it was to be sustainable. The four elements of decent work were the essential ingredients to achieve social justice and it would be fitting for this Conference to adopt a resolution confirming the confidence of ILO constituents in the promotion of decent work as an integrating framework to be adopted by the international community at the Special Session later this month. As the Director-General had noted in addressing the Conference there was no organization better placed than the ILO to take a lead on social development. The Organization had unique tools and instruments at its disposal to lead the international dialogue and programme of action to achieve social development roles in a globalizing world: its tripartite structure, an extensive knowledge base, empirical research on socio-economic aspects of globalization and its normative work. This resolution brought the concept and the tools of decent work together and presented a programme of action for the ILO to promote decent work at the country, regional and global levels. It required commitment and partnership between ILO constituents and a shared commitment with other national and international organizations.

174. The Employer Vice-Chairperson appreciated the introductory presentations and noted the strong support of workers and some governments, but the Employers' group did not support the draft resolution, which was not sufficiently self-critical. They did support and were proud of the fundamental principles and values on which the ILO had been built. The achievement of social justice, the creation of conditions of freedom and dignity, of economic security and equal opportunity and the focus on decent work, were objectives which, although not yet reached, they too strived for. They were also proud of the ILO's tripartite structure, its achievement of international standards, its global and empirical database and its research capacity, which together gave it its unique character. Employers wanted to see the ILO as the leader in the global debate on responses to globalization. They felt, however, that the new millennium was an occasion to examine core activities and identify those aspects of performance which gave cause for concern. Did the ILO have sufficient credibility in a dynamic world? If not, why not? Were all its activities relevant? The Employers' group favoured the discipline of zero-based budgeting – asking, when taking stock, what should be done if starting from scratch. The draft resolution was not sufficiently self-critical in this regard. While there was much in the operative part with which they would agree, they would do so merely because they had previously agreed to it. The Employers' group had for a long time raised its concerns about standard-setting, particularly the poor ratification rate by member States, the time-consuming supervisory mechanisms, the focus on prescription rather than on the development of policy, and the cumbersome sometimes incomprehensible nature of the work of Conference committees. They would have preferred the text to focus on reformation rather than reaffirmation, and on the initiation of fresh approaches rather than the continuation of past practices. His group strongly supported the proposal to establish a coherent international strategy on productive employment as one indication of new, forward-looking activities. They noted that an attempt had been made in the merging process to incorporate text from the draft resolution regarding normative policy and looked forward to amendments from the sponsors of that draft resolution. Other areas where the text could be enriched by the inclusion of a far-sighted approach included human resources and skills development. The resolution could be an opportunity to include more than aims and objectives; it could review working methods and procedures. The Employers' group would submit amendments which recognized that existing structures and processes had not always served the ILO well, that flexibility was the key to meeting the challenges of the twenty-first century, and that any resolution on this issue should acknowledge the conditions necessary for the ILO to adjust to a rapidly changing world.

175. An Employer member from Bangladesh commended the initiative, through the proposed resolution, to identify the role of the ILO in social development. While the preamble was well-intentioned, the operative part did not show how the objectives could be achieved.

Human resources were more than ever at the centre of social and employment policies. Market liberalization, globalization and the need to remain competitive, had placed increasing demands on training systems. Human resources development should be the focus of development in line with employment requirements. The Human Resources Development Convention, 1975 (No. 142), had been adopted when social conditions were different; its principles now needed reconsideration. The ILO should also focus on the even flow of development resources. Countries with higher productivity and growth rates had attracted investment but the fate of countries lagging behind could not be ignored since the bulk of the world's population lived in these countries. Impediments to investment should be examined. These were a few of the areas which the ILO, with assets like the Turin Centre and a vast pool of expertise on different socio-economic issues, needed to look into.

- 176.** An Employer member from the United Kingdom said it was perhaps a little ambitious to look too far ahead. The dustbin of history was full of five-year plans and the good intentions they contained. Rapid and significant change was certain and if the ILO was not to be overtaken by events, its procedures and working methods should be sufficiently streamlined, flexible and efficient. The intention of this resolution was to use the advent of the twenty-first century as an opportunity to review, renew and possibly to create afresh the objectives of the ILO. But it said little or nothing about organization. He hoped that, as the discussion unfolded, the Committee would also look at the way in which the ILO went about its business.
- 177.** An Employer member from Germany said that the resolution should be seen as an opportunity to strengthen the recognition of the ILO as key player in shaping the future of social policy. The resolution should be a message to the world. So far, this message was about ILO values, about the ILO continuing to do as it did at present and about others, in particular other organizations, recognizing the role of the ILO. But this was not enough and to leave the resolution as it stood represented a missed opportunity. It should highlight that productive employment was the most important means of fighting poverty, that market-oriented training was the most important condition for productive employment and that since enterprises played a key role in creating productive employment they needed a conducive environment. The resolution should also address the preparedness of the ILO to adapt its means of action in response to changing circumstances.
- 178.** An Employer member from Austria recalled that the World Summit for Social Development in Copenhagen in 1995 had stated that international organizations, including the ILO, should be the guiding force regarding social policies. This would be confirmed at Copenhagen plus five, giving the ILO greater responsibility. The main aim of the resolution was to fight unemployment, which was an essential duty of all three groups and the ILO itself. However, the text of the resolution should include methods for achieving the aims. Past attempts at reducing unemployment had often failed and unemployment remained high in many countries. A way had to be found to combat unemployment. He recalled the words of Albert Thomas that world peace would be achieved through ensuring social justice.
- 179.** The Government member of the United Kingdom fully associated herself with the statement on behalf of IMEC governments. The merged resolution sought to reaffirm and, more importantly, strengthen the ILO's mandate through the continued promotion of its fundamental principles and rights at work, a commitment to improve its standard-setting activities, and the strengthening of its role in social policy development at the international level. The resolution highlighted the ILO's pivotal role in Copenhagen plus five later this month. One of the key issues to emerge from this Special Session of the United Nations General Assembly would be the recognition of the need for a coherent and coordinated

international strategy on employment. The resolution recognized that the ILO should lead in defining such a strategy. As the Director-General had stated in his report *Decent work*: “without productive employment, the goals of decent living standards, social and economic development and personal fulfilment remain illusory”. The key elements of this strategy should be to: encourage entrepreneurship and job creation, particularly in the expanding sectors of the knowledge-based economy; to provide not only a safety net against income loss during unemployment but a springboard to new skills and jobs; to reform education and vocational training so that young people were equipped with the necessary skills at the beginning of their careers; to create a culture of lifelong learning, enabling those already in employment to update their skills or acquire new ones; to tackle discrimination in employment of all kinds and encourage those who had become detached from the labour market to re-enter employment; and to ensure that men and women had genuine equality of opportunity to develop their working lives. Such an international employment strategy would underpin efforts to secure universal observance of core labour standards.

- 180.** A Worker member from Argentina supported the resolution and commended the authors of the merged text. He stressed the need for strengthening social dialogue to solve problems such as those associated with employment and social security.
- 181.** A Worker member from Portugal said that the resolution had come at the right time and that the ILO was the appropriate forum for discussing these matters. Rules and measures were needed to prevent economic development without social development. Employment and training represented major challenges and the ILO had a fundamental role in combating child labour, illegal immigration and forced labour. This resolution would strengthen the ILO’s hand in implementing the Declaration of Philadelphia as well as the ILO Declaration on Fundamental Principles and Rights at Work.
- 182.** An Employer member from the Syrian Arab Republic agreed that the ILO as a tripartite organization must play a role in social development. This role was not spelt out in the text of the resolution and it should be clearly defined. The meaning of several subparagraphs had to be clarified, including those dealing with ratifications, supervision and human resource development and training.
- 183.** An Employer member from Switzerland stated that the effectiveness of the ILO was of concern to all groups. The present text was overly ambitious as it attempted to cover all of the twenty-first century and called for the submission to the 89th Session of the International Labour Conference in 2001 of a coherent international strategy on employment. In a globalized economy with widespread use of new technologies all had to adapt to changes. While the resolution called for the promotion of productive employment, it merely mentioned enhancing the role of the public sector in this respect. This seemed contradictory as productive employment should be created in the private sector. He welcomed priority being accorded to the ILO as the main organ to deal with social issues. He noted that it was for national parliaments to ratify ILO Conventions. The resolution should be re-examined in the light of texts of the different drafts. In concluding, he referred to difficulties that arose when new standards were developed. Time was an important factor in the process of ratification. What was valid for one country was not necessarily valid for a country at another level of development.
- 184.** A Worker member from Brazil said the merged text referred to a long-term strategy since it was impossible to solve all problems at once. Structural changes and the liberalization of trade had brought back past discussions. He referred to the statement by Nobel Laureate Amartya Sen during the 1999 Conference on the need to insist on the fundamental liberties people must have as a guarantee for survival. He also emphasized the need for technical

cooperation. While the present proposals would not solve all problems, they should be considered by all, Governments, Employers and Workers, in a frank debate.

- 185.** A Worker member from the Dominican Republic agreed that the text set out a clear policy for future ILO activities in defending workers and achieving peace through social justice. In the search for a stable society, flexibility and democracy had to lead to decent work that recognized the dignity of each person. The twenty-first century was already characterized by globalization and neoliberalism that was based on human selfishness. The resolution would propel the ILO into the future as the organization which promoted social development as the means to achieving a stable and just society for all.
- 186.** A Worker member from France fully supported the resolution, which was particularly appropriate when the gap between rich and poor was widening. The role of the ILO had to be reaffirmed and the resolution would send a powerful political message rather than merely reflecting on technical activities. She emphasized three key points: the integration of social and economic factors that underlined the concept of decent work; the reassertion of the international role of the ILO, reaffirming the importance of social issues, with the ILO to the fore in defending fundamental rights; and the reinforcement of social dialogue at every level by increasing the capacity of the social partners to engage in it.
- 187.** A Worker member from India pointed out that the free market ethos of the new century meant that only the fittest countries would survive. The impact of the World Trade Organization, globalization and neoliberalism was greater poverty and unemployment in developing countries. The gap between rich and poor was expanding, especially after the Social Summit, because of the policies of the international financial institutions and the WTO. Thus a new approach was needed in order to achieve the objectives of the Social Summit. The ILO should not cooperate with agencies whose policies led to unemployment and poverty. It should act as a watchdog and play a larger role so that the obligations of the ILO Declaration on Fundamental Principles and Rights at Work were met together with those of the Social Summit.
- 188.** The Government member of Germany referred to a speech by the German Minister of Labour to the Conference in which he had reaffirmed the ILO's basic principles and roles. But he had also appealed for all parties to take advantage of the results of the Social Summit and recognize the important progress that had been made in the areas of workers' rights and the content of the ILO Declaration on Fundamental Principles and Rights at Work. Moreover, governments should set themselves meaningful goals, such as ratifying the basic labour standards. The resolution contained the necessary impetus for the Special Session of the United Nations General Assembly too. It was not static and recommended that the ILO play a stronger role in social policy-making and establish partnerships with other agencies to further the objectives in the ILO Declaration on Fundamental Principles and Rights at Work and undertake activity and research on social integration and gender equality. He supported the position of other IMEC governments.
- 189.** The Government member of Lebanon also welcomed the resolution which should meet member States' technical, social and economic concerns about developments in the world of work. It was also important to intensify research on the social impact of globalization and to review standard-setting policy. The ILO needed to adopt an international strategy on employment that enabled changes to be coped with, and it should increase technical assistance in achieving productive employment to countries that were most affected by change. The InFocus programmes would be important means for the ILO to achieve its strategic objectives and the resolution took this into account. It was also important to respect and realize the principles embodied in the ILO Declaration on Fundamental Principles and Rights at Work

-
- 190.** The Government member of Namibia, speaking on behalf of the African governments, welcomed the inclusion of employment issues in the resolution. The ILO was best suited to promoting its values and the concept of decent work. Because of the prevalence of the poor and unemployed in developing countries, there should be more emphasis in the resolution on employment strategies and the involvement of the informal sector. He was concerned that the text raised the possibility of linking trade and labour standards. This should be removed. As far as normative activities were concerned, the ILO's current activities and approach could be improved. But he did not support a review process that would jettison the ILO's core values. The emphasis had to be on strengthening them. Technical cooperation was equally important. Developing countries desperately needed to catch up in order to create a more level playing field. Technical cooperation that focused on local programmes in developing countries rather than on creating jobs in industrialized countries was needed.
- 191.** The Government member of China pointed out that poverty had been exacerbated by globalization and there was a continuing need to address workers' rights and achieve social justice for all. He hoped that the ILO would increase its efforts in the field of employment, poverty alleviation and improving social security systems, and the ratification and implementation of labour standards. Thus decent work could be realized, thereby achieving the aims of the Copenhagen Social Summit.
- 192.** The Government member of France said that the resolution reflected on the role of the ILO in social development, employment and decent work that arose from the strategic objectives. It would form the basis for future ILO action in ensuring that globalization had a human face through the promotion of decent work and poverty alleviation. This would be an important message to the Special Session of the UN General Assembly in Geneva. In times of change there was a need for new guarantees so that all could benefit. The resolution provided the means for all parties to meet the challenges together and he urged its adoption.
- 193.** An Employer member from Saudi Arabia, speaking on behalf of Arab employers, wanted to see the ILO play a role in dealing with the multidimensional challenges of globalization. The resolution would enable it to improve its activities in this regard. It should, however, avoid any political involvement and concentrate on the creation of productive employment.
- 194.** The Government member of Poland drew attention to the need for the title of the resolution to reflect its content and objectives. As drafted, it went well beyond its title. It would be a mistake for the resolution to be too ambitious. If the ILO's role were to be defined, there were several relevant documents that should be mentioned in the preamble.
- 195.** A Worker member from Chile fully supported the resolution, the operative part of which was based on the ILO Declaration on Fundamental Principles and Rights at Work and set out what needed to be done to implement and improve it. He drew particular attention to the need to deal with the effects of globalization.
- 196.** A Worker member from the Islamic Republic of Iran said the resolution would give the ILO a mandate to work at the national level to enhance workers' quality of life. The text should address the issue of child labour in its broadest sense – beyond the worst forms contained in Convention No. 182 – since it was getting worse in poorer countries. There was a need for more education, research and networking among member States.
- 197.** A Worker member from Israel highlighted the crucial role of the ILO in social development, particularly in view of widespread unemployment, social exclusion and a lack of decent work. It was not enough to increase employment; the ILO should be

strengthened so that it could advance the principles and values which were the basis of the core Conventions, which must be fully implemented. Stronger social dialogue was needed if the ILO's objectives were to be realized and greater cooperation between the social partners was a key to achieving this. Special efforts were required in workers' education and training, particularly in high technology topics and the ILO should continue to promote gender equality in all aspects of working life. His organization had always supported these principles and had helped develop legislation and ensure that the terms of collective agreements were carried out. In times of globalization and change, workers needed to be able to adapt: vocational training and education were necessary for this.

- 198.** The Government member of Argentina agreed that, while there was no intention to reduce the role of the ILO, it should be questioned, reviewed and updated so that future action was in line with needs, particularly regarding employment and social dialogue. The outcome would underpin the fundamental tenets of the ILO – standard-setting, research and technical cooperation – and enable a more flexible approach to meet changing needs. Nonetheless, the ILO would still be to the forefront in improving social justice and the resolution should suggest the best means for it to do so.
- 199.** The Government member of Egypt said that the resolution was too ambitious and would require some major amendments. In spite of some controversial aspects he supported many of its points, particularly the importance of ILO drawing up a comprehensive employment policy as proposed by the G-15 Summit in 1999. He was, however, concerned about the risks of linking trade and labour standards, and stressed that there was no international consensus on a global structure that linked social and economic institutions. The different levels of development in different countries should be taken into account. Certain aspects of the ILO's supervisory mechanism needed to be reviewed with a view to their improvement. Moreover, the importance of technical cooperation should be stressed as an essential component of the resolution.
- 200.** The Government member of Denmark agreed with the statement on behalf of the IMEC governments and with those of her French, German and United Kingdom colleagues. Her Government set great store by the fact that the ILO had demonstrated it was the appropriate organization to pursue analytical work and compare best practices on employment policies. Comparative country employment policy reviews had proved to be very useful. Full employment was an important target arising from the Social Summit, but unemployment was still too high. The ILO should continue to take the lead in assisting member States formulate and improve employment strategies in the context of the decent work agenda. She supported the proposal for the submission to the International Labour Conference in 2001 of a coherent international strategy on employment. Another core issue was gender equality. She hoped that gender discrimination would be eliminated in the twenty-first century, but there was still a long way to go. The convening of "Women 2000", which would renew the international focus on gender, was welcomed. She strongly supported the paragraph concerning gender mainstreaming but cautioned that success depended on it being based on results not plans. It was therefore necessary to have benchmarks and systems of accountability to ensure the systematic integration of gender-sensitive considerations into all activities.
- 201.** The Government member of Brazil stressed the importance of incorporating the normative dimension in the discussion on the ILO's role in social development in the twenty-first century which would provide an integrated approach to addressing current and future challenges facing the world of work.
- 202.** A Worker member from Sweden strongly supported the resolution which could promote and improve the ILO's work. It was important to recall the uniqueness of the ILO and its

mandate to defend and promote the freedom and dignity of all. The concept of decent work had a key role to play when global prosperity was being sought. The ILO could play an even more active role in the future in elaborating and contributing to the “new economy” and giving it a truly social dimension. He stressed the importance of the operative paragraphs on the need to ratify and implement the core Conventions, the need to intensify research into the social dimensions of globalization, and the promotion of social dialogue.

203. The Government member of New Zealand associated herself with the statement on behalf of the IMEC governments and welcomed the merging of several important issues in the text. It was timely to take a strategic look at what was wanted for and from the ILO. The resolution encompassed several key issues, including the concept of decent work and the strategic objectives which provided the framework for social development. The objective of promoting decent work was a recognition that the ILO’s traditional role of defending rights at work involved an obligation to promote the opportunities for work itself. Thus the emphasis on employment strategy was welcome. Her Government supported the emphasis on gender equality. Gender perspectives should be incorporated in all aspects of the ILO’s work. She also supported the proposal to review normative activities with a view to making them more effective, and the recognition of the need for the ILO to work with other international agencies to play an important role in social development.

204. A Worker member from Denmark said that workers expected to hear the voice of the ILO prior to Copenhagen plus five and the resolution would send a strong message to this gathering. The Asian crisis showed that it was workers who bore the brunt of economic turmoil. Free markets did not deliver social improvements; governments had to develop social protection schemes, assisted by the ILO in collaboration with the Bretton Woods institutions, WTO and UNDP. Only four countries, including Denmark, met the UN target of allocating 0.7 per cent of GDP to development assistance, so it was no wonder that poverty was still such a problem.

205. The Government member of the Netherlands fully supported the statement on behalf of the IMEC governments and emphasized the need to keep the issue of child labour high on the agenda as its elimination was one of the fundamental principles in the ILO Declaration on Fundamental Principles and Rights at Work. The resolution should refer to the urgent need to ratify and implement Convention No. 182 as well as continuing to give priority to the elimination of all child labour in the twenty-first century.

206. The Government member of India said it was an appropriate moment to reflect on the direction of the ILO in promoting social justice. It was important, however, not to become hostage to vested and sectoral interests to the detriment of already deprived areas of the globe. Unfortunately, some of the text did not promote the goals set out in the Declaration of Philadelphia; rather it contained the seeds of by now quite familiar policy options that would seek to impose conditionalities and sanctions on developing countries, thereby sanctioning poverty itself. The preamble contained text that distorted the aims of Copenhagen plus five by linking social development with finance and trade. If the aim was to build an architecture of international cooperation to put an end to poverty, India agreed with it. However, India did not believe that it would also be the aim of the Special Session to build an architecture of international competition and certainly not to build an architecture that would enhance the already predominant competitive advantage of the prosperous parts of the world. It was important that complementarity among international institutions did not imply an approach based on conditionalities. Calls for the implementation of labour standards had to go hand in hand with action to remove poverty and unemployment. In highlighting the priorities for the ILO, the speaker referred to the Director-General’s statements during his recent visit to India in which he stressed the need for a normative framework supported by institution-building, technical programmes and

development cooperation. For the ILO to realize its goal of social justice, it had to advocate international development cooperation for the eradication of poverty. Moreover, as the Director-General had said, there could be no decent work without work itself. So the promotion of productive work was an essential part of rights at work. Special attention had to be paid to achieving higher rates of participation of women in the workforce, as well as to human resources and skill development and technical cooperation.

- 207.** An Employer member from Venezuela said that the resolution should enable the practical application of the Declaration of Philadelphia and the 1998 ILO Declaration on Fundamental Principles and Rights at Work, particularly regarding fundamental rights, employment and social dialogue in developing countries. The roles and responsibilities of the multidisciplinary teams (MDTs) should be strengthened and the facilities of the Turin Centre should be widely available, especially to people from far-flung developing countries. The resolution should ensure that measures were available to deal with the impact of globalization, competitiveness and the negative effects of servicing foreign debt. The resolution needed to go beyond rhetoric, give priority to the creation of productive employment and the eradication of poverty and be quickly implemented in order not to lose momentum.
- 208.** The Government member of Chile said the resolution was linked to all four of the ILO's strategic objectives and provided the ILO with the opportunity to play an important role, with other agencies, in finding the most effective means to achieve social justice and dignity at work. The resolution should show that the ILO wished to deepen its commitment in this regard. The resolution reaffirmed the commitment to the ILO's basic values and put people at the centre of development, stimulating social integration to enable a more just and stable society. It sought to connect with the follow-up to the commitments made at the Copenhagen Summit. He recalled the words of the Director-General that it was necessary to have an integrated view of economic and social development. The ILO was best placed to show the way in social development and its unique tools should be used fully in order to achieve social justice.
- 209.** The Government member of Switzerland supported this topical and significant resolution. Provided it incorporated cooperation for development, standard-setting, research and employment creation, it could be a platform at Copenhagen plus five from which the ILO could show it had a mandate, had something to offer and was ready to accept the challenges arising from the Social Summit.
- 210.** The Government member of Malawi supported the statement of the Government member of Namibia and the need for the ILO to build on its existing activities, particularly technical cooperation in developing countries, to address the job losses and poverty that arose from globalization. The resolution was timely since it dealt with the poor and the unemployed. More research into the social implications of globalization was needed as a key input to the development of a new social order and increased social justice. Strict adherence to structural adjustment programmes where the public sector was the major employer often led to rapid and widespread downsizing. There was thus a need for technical assistance to stimulate relocation and retraining.
- 211.** The Employer Vice-Chairperson was not surprised that the discussion of the broad resolution had been so wide-ranging. There had been considerable support for the ILO's strategies and its central role in social development and decent work, together with a desire to take stock of the problems faced by each group and review how best to deal with them. A range of concerns had been raised, and there was some frustration that the ILO was underperforming in many aspects of its work. These should be included in the resolution. He cited the better application of Conventions and the continuing existence of

discrimination and gender inequality. Developing countries were very concerned about job creation, productive employment, human resources and training. Several speakers had mentioned the need to examine the ILO's future activities in ensuring fundamental liberties and establishing itself at the centre of international action to eliminate child labour and alleviate unemployment and poverty. There had been considerable support for a review of normative policy and for the development and implementation of practical employment policies and strategies, but there were concerns about aspects that could create conditionalities. He appealed to the Committee members to look to the future and focus on specific practical issues that would enhance the role and influence of the ILO.

212. The Worker Vice-Chairperson welcomed the general support that had been expressed for the thrust and substance of the resolution. There had inevitably been differences in emphasis in the merged text and in the discussion and additional areas for consideration had been put forward. While amendments would enable concerns to be addressed and clarifications made, it would not be possible to introduce elements from other, lower priority, resolutions. Some speakers had criticized the fact that the resolution did not address the reform of the ILO's processes, procedures and work methods. This was intentional. The objective of the resolution was to review and reorient the ILO's goals and objectives. Once this was achieved, the Organization would adapt its mechanisms accordingly. Some speakers had criticized the lack of flexibility of the ILO and its inability to respond quickly to issues of immediate concern. The ILO's tripartite structure and standard-setting role gave it a depth and complexity that other organizations lacked. The world was full of short-term, politically expedient solutions to problems, many of which had an adverse impact on workers. The ILO, however, was in the unique position to develop and present longer term policies and strategies on workers' rights, employment, social policy and democracy that stood the test of time. It would be a mistake to undervalue the consistency of the ILO's work that was built on tripartite consensus.

213. The draft resolution was discussed but, for lack of time, it was not possible to discuss the amendments which had been submitted to this draft resolution.

Consideration and adoption of the report

Consideration of the report

214. The Committee considered its draft report at its ninth sitting.

215. Corrections to specific paragraphs were submitted by various members for incorporation in the report.

Adoption of the report

216. At its ninth sitting the Committee unanimously adopted its report as amended.

Geneva, 10 June 2000.

(Signed) Csaba Öry,
Chairperson and Reporter.

Resolution submitted to the Conference

Resolution concerning HIV/AIDS and the world of work

The General Conference of the International Labour Organization,

Recalling that HIV/AIDS is at present a universal pandemic that threatens all people, but also recognizing that it disproportionately impacts on economically and socially disadvantaged and excluded groups,

Recognizing that HIV/AIDS is a growing health problem, as well as a developmental crisis with disastrous consequences for the social and economic progress of many countries,

Noting with deep concern that, of the nearly 34 million people worldwide currently living with HIV/AIDS, 95 per cent are in the developing countries; that in African countries development gains of the past 50 years, including the increase in child survival and in life expectancy, are being reversed by the HIV/AIDS epidemic, and that HIV infection is increasing rapidly in Asia, particularly in South and South-East Asia, and in the Caribbean, and that it threatens the political, economic and social sustainability of these regions, while recognizing that in the rest of the world a complacent attitude cannot be adopted and efforts on prevention reduced,

Recognizing the effects of HIV/AIDS on the world of work: discrimination in employment, social exclusion of persons living with HIV/AIDS, additional distortion of gender inequalities, increased number of AIDS orphans, increased incidence of child labour, and the retention of older persons in the labour force,

Recognizing that HIV/AIDS threatens decent work in an all-embracing manner, and noting that HIV/AIDS has adversely impacted on economic growth and employment in all sectors of the economy, depleted human resources, challenged social security and health systems, and threatened occupational health and safety systems,

Recognizing that the spread of AIDS can be prevented, including through actions at the level of the workplace, and that it is possible, by a multidimensional, integrated, sustained and coordinated international response, to prevent its spread and protect those who live with it and its consequences, including the families and communities affected,

Noting that a number of important initiatives have already been undertaken, including those by the United Nations organs and specialized agencies,

Recognizing that the non-availability and limited access to HIV/AIDS-related drugs and treatments at affordable costs in developing countries also has further accentuated the spread of the disease in those countries,

Recalling the adoption by the International Labour Conference of relevant and related instruments, including the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Occupational Safety and Health Convention, 1981 (No. 155) and the Occupational Health Services Convention, 1985 (No. 161),

Also recalling the adoption by the International Labour Conference of the Declaration on Fundamental Principles and Rights at Work, in 1998,

Noting the effect of some structural adjustment programmes on public health structures and services, education and social protection systems,

Recognizing the enormous potential of employers' and workers' organizations, in partnership with governments, to contribute to the fight against the spread of HIV/AIDS and to support the needs of workers living with HIV/AIDS;

1. Calls upon the governments of member States and, where applicable, employers' and workers' organizations to:

- (a) raise national awareness, including by involving other concerned groups as appropriate, particularly of the world of work, with a view to eliminating the stigma and discrimination attached to HIV/AIDS, as well as to fight the culture of denial, and thereby preventing the spread of HIV/AIDS;
- (b) strengthen the capacity of the social partners to address the pandemic;
- (c) strengthen occupational safety and health systems to protect groups at risk;
- (d) formulate and implement social and labour policies and programmes that mitigate the effects of AIDS;
- (e) effectively mobilize resources.

2. Requests the Governing Body of the International Labour Office to instruct the Director-General to:

- (a) continue and intensify, where appropriate, research on action to be taken and behaviours to be adopted in dealing with HIV/AIDS at the workplace;
- (b) present, within the framework of the discussion of the Programme and Budget for 2002-03, a proposal regarding a meeting of experts which will develop international guidelines on action to be taken and behaviour to adopt on HIV/AIDS at the workplace;
- (c) collaborate with concerned international organizations in order to avoid duplication of efforts;
- (d) expand its capacity to deal with HIV/AIDS at the workplace, especially in its multidisciplinary teams;
- (e) undertake research and surveys to determine the implications of HIV/AIDS for the world of work;
- (f) document and disseminate all useful information on national experiences including examples of good practices on HIV/AIDS at the workplace;
- (g) engage in advocacy and training on HIV/AIDS and the world of work;
- (h) strengthen the capacity of the social partners to formulate and effectively implement policies, programmes and activities at the national and enterprise levels.

CONTENTS

	<i>Page</i>
<i>Report of the Resolutions Committee</i>	1
Resolution submitted to the Conference.....	33