

**Sixteenth sitting**

Monday, 17 June 2002, 10 a.m.

*Presidents: Mr. Elmiger, Mr. Hussain*SECOND REPORT OF THE SELECTION COMMITTEE:
SUBMISSION AND ADOPTION

Original French: The PRESIDENT (Mr. ELMIGER) — This morning we have before us the second report of the Selection Committee, *Provisional Record No. 4-2*, which is divided into two parts: the first concerns the withdrawal of 20 Recommendations; the second relates to the submission of the draft resolution on the informal economy and obstacles and subsidies to international trade, especially concerning agricultural products.

I now have the pleasure to hand the floor over to Ambassador Soltanieh, Chairperson and Reporter of the Selection Committee, to submit this report.

Mr. SOLTANIEH (*Government delegate, Islamic Republic of Iran; Chairperson and Reporter of the Selection Committee*) — In the Name of God, the Merciful, the Compassionate! I have the honour to submit to the Conference the second report of the Selection Committee which is contained in *Provisional Record No. 4-2*. It concerns proposals for the withdrawal of 20 international labour Recommendations and the referral of resolutions to the Committee on the Informal Economy.

The Selection Committee has endorsed a proposal by the Governing Body to withdraw the 20 international labour Recommendations in question. This proposal derives from the findings of the Working Party on Policy regarding the Revision of Standards established by the Governing Body in 1995, which successfully completed its mandate in March this year.

The withdrawal of these Recommendations follows the decision by the Conference in June 2000 to withdraw a first series of five obsolete Conventions. It marks a further step towards the modernization and realization of the body of the international labour standards.

I am pleased to say that the same *esprit* of the consensus that prevailed throughout the meeting of the Working Party also prevailed in the Selection Committee, which has endorsed the Governing Body's proposal to withdraw these international labour Recommendations.

In the light of this Report, the Conference may wish to take the required preliminary decision for withdrawal of the 20 obsolete Recommendations concerned. The Committee decided to approve the withdrawal of the 20 Recommendations in a single motion. The Officers of the Committee recommend to the Conference that this same procedure be followed in the final vote tomorrow, Tuesday, 18 June, that is,

the withdrawal of the 20 Recommendations be approved by the Conference in a single motion.

The Selection Committee also considered the question of the referral of a draft resolution on the informal economy and international trade barriers and subsidies, especially concerning agricultural products, submitted by the Government of Argentina, under item VI of the Conference agenda in accordance with article 15 of the Conference Standing Orders.

On the advice of the Legal Adviser, the Committee understood that it had no real choice but to refer the resolution to a Committee of the Conference. Although it was recognized that the substance of the resolution extended beyond the issue before the Committee on the Informal Economy, the Selection Committee agreed to refer the resolution to that Committee. The Committee expressed its view, however, that should this occur again next year, many members of the Committee would consider this to be an abuse of the procedures.

I recommend the report of the Selection Committee to the Conference for adoption.

Original French: The PRESIDENT — I would like to turn to members of the assembly and ask them whether they have any comments to make on the Report. Seeing none, I suggest that we now proceed to the adoption of the first part of the Report concerning the withdrawal of 20 Recommendations. Since this requires a decision, we should take the preliminary decision referred to in paragraph 3 of article 45bis, with a view to withdrawing 20 Recommendations listed in the document.

Since the Governing Body decided by consensus that these 20 Recommendations were obsolete, and given the fact that the Officers of the Selection Committee recommend that the Conference adopt the withdrawal of these 20 Recommendations in a single motion, may I consider the proposal for a single vote on the withdrawal of 20 Recommendations is adopted?

(It is so decided.)

Original French: The PRESIDENT — I give the floor to the Employers' delegate of India.

Mr. ANAND (*Employers' delegate, India*) — I have a request to make. Every year during the Conference there may be one subject to review the past Conventions and Recommendations so that if any one of them has to be withdrawn that could be decided in the Conference.

Original French: The PRESIDENT — Thank you, Employers' delegate of India. You may rest assured that your contribution will go into the *Provisional Record*. In pursuance of what the Chairperson and Reporter of the Committee has said, there will be a roll-call by electronic vote to confirm the withdrawal in totum of these 20 Recommendations.

If there are no objections, I take it that the Conference adopts the second report of the Selection Committee as a whole.

(The report as a whole was adopted.)

RATIFICATION
OF INTERNATIONAL LABOUR CONVENTIONS
BY THE REPUBLIC OF MOLDOVA, SLOVAKIA AND JAPAN

Original French: The CLERK OF THE CONFERENCE — On 14 June 2002, the Director-General registered the ratification by the Republic of Moldova of the Worst Forms of Child Labour Convention, 1999 (No. 182); and the ratification by Slovakia of the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Safety and Health in Agriculture Convention, 2001 (No. 184).

I am very pleased to make this latter announcement because it is the first ratification obtained for the most recent Convention adopted by the ILO.

On 14 June 2002, the Director-General also announced the ratification by Japan of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

REPORTS OF THE CHAIRPERSON
OF THE GOVERNING BODY
AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Original French: The PRESIDENT — We shall now resume the discussion on the Reports of the Chairperson of the Governing Body and the Director-General.

Mr. HASSEN (*Minister of Labour and Social Affairs, Ethiopia*) — On behalf of the Government of the Federal Democratic Republic of Ethiopia, and on my own behalf, allow me to congratulate the President and the Vice-Presidents on their election to preside over this session of the Conference. Our felicitations also go to the other Officers of the Conference. May I also take this opportunity to commend the International Labour Office on the comprehensive reports prepared for this session of the Conference.

It goes without saying that it is relevant, and appropriate, for the Organization to place the issue of the ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the Conference. The Declaration has rightly been considered a significant tool in the fight against the negative impacts of globalization that can be the cause of much social injustice. It is also recognized that the four categories of principles and rights included in the Declaration have a lot in common with the Universal Declaration of Human Rights, especially when we talk about the world of work.

Realizing these underlying facts, the Government of Ethiopia attaches considerable significance to the issue of international labour standards. The ILO Con-

ventions and Recommendations have been the guiding principles at all stages of Ethiopia's reform programme undertaken in the area of labour. Our national labour law guarantees basic workers' rights. We are currently engaged in revising the law in conformity with the ILO Conventions in order to overcome some existing implementation problems.

In connection with our collaboration with the ILO, I am gratified by the contributions of the ILO Area Office in Addis Ababa. The Office is working closely with us and we are benefiting from the ILO's technical cooperation programmes and specialized services in most of our socio-economic development priorities.

Ethiopia is firmly building vital institutions of democracy and making good economic progress. In its vision to foster consistent development to reduce poverty, the country has been engaged in devising and implementing various policies and strategies, among which is the Poverty Reduction Strategy Paper. The rural development policy, strategy and systems will also play a key role in changing the lives of the people at grass-roots level by promoting strong and sustainable economic development. There is also a civil service reform programme being undertaken in the country in order to lay down favourable policy directions for the training and promotion of civil servants so that they will be instrumental in providing effective services to the public.

With regard to the health of workers, we are well aware that in the past two decades, poor socio-economic status is further being compounded by the emergence of HIV/AIDS, which is posing the most serious, social, humanitarian and economic challenges to the country. Needless to say, the rapid increase in deaths in the most productive segment of the society is a serious threat to our development effort. Hence, among its protective and control mechanisms, the Government of Ethiopia has established a national HIV/AIDS council secretariat to organize and coordinate efforts to fight the pandemic and exert efforts towards creating a conducive situation to take care of those infected and affected by HIV/AIDS.

In so doing, our country is attempting to instil the principles of tripartite consultation and social dialogue to ensure the participation of stakeholders in all aspects of social and economic life. Moreover, public authorities are being made more transparent and accountable for their decisions.

Another important item on the agenda of this session of the Conference is the issue of the informal economy, to which we attach significant importance.

In conclusion, while I express my good wishes for the success of this session of the Conference, I would also mention my Government's deep regret at the comments of the social partners and the resulting conclusion reached last Saturday by the Committee on the Application of Standards concerning Case No. 1888. The political will of my Government and the significant developments achieved with regard to the issue have regrettably not been appreciated.

Unfortunately, my Government's undertaking to resolve the pending issues and my intervention as minister in the whole process have done nothing to change the negative view of my country held by the Committee of Experts and the social partners.

The comments and the conclusions made against my country, similar to those of the preceding year, are biased, unbalanced and totally discouraging to my Government. In this respect, social dialogue and part-

nership cannot be promoted, nor any result achieved, unless the double standards and bias that we see in such processes are totally removed.

Mr. ANAND (*Employers' delegate, India*) — I have often stood at this podium since 1971, in pursuit of some solution to the persisting problems of poverty, particularly in developing nations. I had been inspired, as a young speaker, decades ago, by the Declaration of Philadelphia. We have been through several decades of development, but both unemployment and poverty eradication attempts have evaded sustainable solutions.

The employers have always maintained, particularly since the 1970s, that viable small and micro-enterprises would be the foundation for developing and expanding the spirit of enterprise, which alone could enable the current generation to discharge its obligation to humanity. It is in this context that the veteran Employer spokesperson, Jean-Jacques Oechslin, a former President of the International Labour Conference, in this august house had, in his observations noted that: "In demanding a specific programme for small and micro-enterprises, the International Organisation of Employers was not requesting a favour for certain employers, but a possible way for offering some employment. This was why Mr. Francis Blanchard, a predecessor of Dr. Somavia, had set up a special service for the purpose. It was hard to get his successor to understand the logic of this measure. The ILO was on the whole ignorant of the world of undertakings of which, many of its officials had no direct experience."

The Report under discussion on programme implementation, the subject of this debate, in contrast to earlier period-end reports, besides being excellent in presentation and print, is a refreshing document in its content. It reflects a promising start which is essential for sustainable human development.

I heartily endorse the spirit of self confidence, faith and optimism, reflected by the Director-General in his executive preface. I agree that we have made healthy and constructive strides in setting a developmental tone in the world as a whole. Yet as the Director-General himself records, we still have a long way to go. I may, with humility, remind him of his own observation in his concluding address to the 89th Session of this Conference in June last year, in respect of the core issue underlying his newly assumed charge and obligation — "if this Conference has a single message, it is that all of us together must now move the Decent Work Agenda from aspiration to action, from design to implementation, from a vision to policy". From that yardstick's standpoint, I submit that a firm and adequate initiative for commencement of a determined journey in this direction is still called for.

We had discussed these issues in August last, both formally and informally, at the Asian Regional Meeting in Bangkok. I am glad my colleague, Mr. Nodera, is personally present to listen to me today. We strongly felt that technical cooperation for social infrastructure, constrained by a dependence on resources provided by the individual will of donor nations, should be institutionalized through mutual tripartite cooperation and administration with the international financial institutions. In this context, the ILO Regional Director for the Asia-Pacific region, Mr. Nodera, his team and the Asian Development Bank deserve our recognition and appreciation for having

moved in this direction, by signing the first Memorandum of Understanding on 9 May 2002 in Shanghai. I hope further follow-up action, as envisaged, will be undertaken promptly in this region and other regions, as well as including other regional and international development finance institutions. The Indian national finance institution, the Industrial Finance Corporation of India, has already sponsored and established a Labour Development Institute in Jaipur, Rajasthan, which is now well established and has a Memorandum of Understanding with the ILO itself. These activities need a modernized and refined outlook. Such examples can serve as models for replication, particularly in Asia, Africa and Latin America, where the lap of poverty stays.

I venture urgent attention to these regions in view of the Director-General's own observation in his opening address to this Conference that "more than a billion women and men are unemployed or working poor", and "we will need 500 million new jobs almost entirely in the developing world over the next decade to absorb the new entrance into the labour market, largely youth and women". In my own country, India, we suffer this recurring and afflicting disease, because skill development policies continue to lack effectiveness, so that even today, in the 19-24 age group, out of the millions of unemployed youth, both male and female, hardly five per cent possess professional skills.

I dare say the whole developing world has a wide gap in skills to close with the developed nations. There is an urgent need for Asia-Pacific, Asian Development Bank memorandum of understanding model being extended universally and adopted by the InFocus Programme on Skills, Knowledge and Employability of the Employment Sector, the Regions and the Turin Centre. We need to develop worldwide network institutions.

Before concluding, permit me to recall the quote from United Nations Secretary-General that was made by my young friend, Mr. Farhat Hussain, Vice-President of this Conference, about the current generation being parents, grandparents, uncles and aunts of children. I wish to pose a question. You, Mr. President and the Director-General, may be in the category of grandparents. So am I. Our generation is no longer children. Looking back, as well as into the future, I often wonder, having enjoyed the fruits of the labour of our predecessors, the fathers of technological and social progress, what sort of world environment would we, our generation, be bequeathing to our future generations, where the very survival of humankind is at stake, and youth employment is rising. Would it be cooperation-oriented or confrontationist? Will it be the new word of hope or despair? Have we an obligation to the common and better future of our posterity? For me the roots of a successful response lie deep in the value-based approach to human development and an integrated understanding of all the seven components that constitute the Preamble of the ILO Declaration on Fundamental Principles and Rights at Work of 1998.

Equally, perhaps, a constructive response to the globalization debate, as stressed by the Prime Minister of Malaysia the other day, and currently under review by the World Commission, set up by the ILO Governing Body, could also illuminate the dark road to the destination.

I am sorry for having exceeded your time limit but I hope that the cream of the elite and intelligentsia

from the world of work that are assembled here will reflect on some of the issues of poverty and skill development. With the great strides in information technology, the younger generation is well informed today and cannot be fooled any longer.

Original Spanish: Mr. ABENTE BRUN (*Minister of Justice and Labour, Paraguay*) — May I begin my intervention by commending the President upon his election to this high office at this 90th Session of the International Labour Conference. For the Republic of Paraguay, being present at this session of the Conference is of the utmost importance. In Paraguay, we are going through a severe economic and social crisis which is significantly affecting the entire population, particularly the most disadvantaged. Added to the difficulties of trying to reconstruct an economy in recession is the international commercial atmosphere characterized in that developed countries provide subsidies assistance to domestic sectors, thereby closing their markets to other producers and distorting the international trading of agricultural products. The impact of this on the economy of my country is simply devastating. This economic situation has adverse effects on the political stability of Paraguay to boot.

We have all these factors compounded including the negative effects of having to suspend a reform process that was initiated by the Government to deal with the business sector, the Government and other political sectors, and some trade union and rural workers' organizations. This being the case, in the name of solidarity, Paraguay needs all sectors to act in a mature way, including trade unionists, business people, political parties, Congress and the Executive in order to promote social dialogue. This is absolutely necessary if we are to foster development with solidarity. This is why the Government of Paraguay places social dialogue, which is one of the four strategic objectives of the ILO, at the centre of our efforts. We are counting on this dialogue and on tripartism in equitable conditions, and we will remain committed to this clear guidance from the ILO.

Paraguay will also show the same interest in and commitment to dealing with the other three strategic objectives of the Organization. At the government level, we are taking action to promote and meet fundamental labour standards, principles and rights in order to create bigger and better opportunities for the men and women of our country, and to ensure dignified conditions through decent work and incomes and effective protection for all citizens.

We think that under the leadership of the ILO and its authorities, we will be able to guarantee that these four strategic objectives are met in all member States.

I would like to talk about effective social protection now, within the context of child labour and, in particular, the Global Report, *A future without child labour*. We fully support the issues raised in this Report. We welcome the fact that the ILO decided that 12 June should be the World Day against Child Labour. On 11 June, civil society and our Government received this good news and took action by coming together once again to support this issue. We are very pleased with this decision made by the Organization and we are committed to channelling our efforts in this direction.

As the Conference knows, Paraguay has not yet ratified the Minimum Age Convention, 1973 (No. 138), but our Executive is currently making sincere efforts, as is the Ministry of Labour. With the

support of NGOs and civil society organizations, we hope that Parliament will ratify this Convention as soon as possible. We are optimistic about this, and we do hope there will be a favourable outcome, as with the ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182), and the promulgation of a new Childhood and Young Persons Code which is modern and attaches great importance to the interests of this section of society. It also respects the standards and international instruments accepted by our States.

In the same positive spirit we await the legislative decision concerning the ratification of the Minimum Age Convention, 1973 (No. 138). All Paraguayans are working hard and hoping for a better future, a new dawn, in which Paraguay will be able to fully implement social justice and solidarity.

Mr. ERNESTA (*Minister for Social Affairs and Employment, Seychelles*) — On behalf of the Seychelles Government, I wish to commend the efforts made by the Director-General of the ILO in compiling such a comprehensive and outstanding Report.

I am personally enlightened and encouraged by the Report which provides a sound assessment of the work accomplished by each country and under each of the four main strategic objectives of the ILO.

The priorities for the future, as outlined in the Report, also echo the priorities which Seychelles has adopted for the years ahead. In September 2001, Seychelles embarked on a performance audit which culminated in the formulation of 16 new visions to lead us forward in this new millennium.

We aim to create a prosperous and well-managed economy conducive to growth and investment supported by economic policies that include appropriate partnership with the private sector. Ensuring decent work for our people is crucial to our endeavour to turn this vision into reality.

Allow me to make an observation as regards the process of globalization, its interlink with standards and its effect on the small island States.

The globalization process and the introduction of a more liberal trade regime have created favourable conditions for the emergence of closer economic cooperation between States. However, globalization must not be allowed to get out of control. As it gathers pace, it is becoming increasingly evident that the world is shrinking into one global village and we must be reassured that governments and international organizations, like the ILO, will adopt appropriate policies and legislation that would combine productivity and human rights at work for sustainable development.

With regard to standards, fundamental principles and rights at work, Seychelles, as a small island State, strongly believes in the synergy between fundamental principles, rights at work and productivity. In this respect, we have developed a programme proposal with a view to consolidating rights at work and promoting good and fair labour relations practices. The proposal has been submitted to the ILO for consideration. We equally believe in the fundamental concept of creating greater opportunities for women and men to secure decent employment and income. There is, indeed, a growing need to revisit existing labour market policies with a view to developing the appropriate infrastructures and processes in order to improve the employability and adaptability of the labour force.

I note, with great satisfaction, that one of the issues being discussed at the Conference is decent work and the informal economy. This is an area which requires urgent research in order to assess its economic feasibility and to integrate the concept of decent work into that sector. I am convinced the Conference will come up with concrete resolutions to further promote employment creation through investment in employment — intensive infrastructures and at the same time secure decent work for the vulnerable. In small economies like ours, small and medium-sized enterprises offer great opportunities for full employment and for providing a sound base to the economy, thereby ensuring sustainability. We also recognize that the informal sector has the potential to provide opportunities for the vulnerable, especially young people and women. To turn to self-employment, developing and facilitating this sector is therefore a priority if we are to empower our men and women to attain sustainable livelihoods.

To conclude, I reiterate the Government of Seychelles' congratulations to the Director-General, in particular, and the ILO, in general, for successful programme implementation. We hope that in the current biennium the ILO's assistance to member States, especially to the developing world and the small island States will be extended to ensure decent work for sustainable development.

Mr. DIMITROV (*Workers' delegate, Bulgaria*) — First of all, on behalf of the Bulgarian workers allow me to congratulate the President and Vice-Presidents on their elections to these responsible positions and to express my confidence that the 90th Session of the International Labour Conference will take decisions to improve the possibilities for decent work and the income of workers, in this globalizing world. As a representative of the Bulgarian trade unions, I would like to express our great appreciation for the ILO's endeavours to secure the implementation of the four strategic objectives related to labour standards, namely to promote and realize fundamental principles and rights at work, creating better opportunities for women and men as a means of guarantee decent work and income, enhance social protection and strengthen tripartism and social dialogue, and also to support the conclusions and evaluations of the Director-General's Report.

The Bulgarian people and employees continue to pay a high social price for transition. In comparison with the other EU applicant countries, Bulgaria has the lowest employment rates, the lowest income and the lowest per capita GDP. The economic growth notched up in recent years is not resulting in the creation of new jobs or higher incomes. The level of registered unemployment in Bulgaria for 2001 and during the first four months of 2002 is over 17.5 per cent, the share of the long-term unemployed who receive no unemployment benefit and are too discouraged to look for jobs, is increasing. Real wages are still half what they were at the beginning of transition. Women continue to suffer discrimination when it comes to hiring new staff, promotion to higher positions and remuneration.

The increasing exploitation of child labour is alarming. National research into child labour, financed by the ILO, shows that 6.4 per cent of children in the 5 to 17 age bracket are economically active, of whom 32.3 per cent work on smallholdings and

41.8 per cent in the home. More than 300,000 children do not attend school, mainly for economic reasons. We therefore, support the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, *A future without child labour*, and the proposed action plan for the abolition of child labour.

In many companies, mainly small and medium-sized firms and those in the informal economy, workers' and trade union rights are indeed violated. The enlargement of the informal sector is a cause for serious concern. According to IMF data in Bulgaria, the shadow economy makes up 35 per cent of GDP and over one million people are employed in it. For us, as representatives and defenders of workers' interests and rights, informal employment means a lack of legal and social protection as well as violation of core labour standards and workers' rights. Therefore, we fully back the proposals made in the report "Decent work and the informal economy", for strengthening rights, representation and social protection in the informal economy.

We support the intentions of the Bulgarian Government to introduce a minimum wage and registration of individual labour contracts since that, together with other economic measures, will help to shed light on part of the shadow economy.

In the field of labour and industrial relations, Bulgaria complies with the spirit of the ILO's fundamental documents. In recent years, with active trade union participation, certain steps have been taken to harmonize Bulgarian legislation with ILO Conventions and Recommendations and with EU practice. One year after the entry in force of the Labour Code as amended and supplemented with the consensus of the social partners, we note a disquieting tendency. An organized campaign is starting in the country. It is aimed at minimizing labour, social and trade union standards and rights, and for changing or even repealing the Labour Code. Both representative Bulgarian trade unions, the CITUB and CL "Podkrepa", firmly oppose the unreasonable appeals for extreme liberalization and changes to labour legislation voiced by some non-representative employers' organizations. The Government's silence on this matter and its failure to express a clearly stated opinion are unacceptable. We reject the World Bank's attitude to such liberalization, which is formulated as "increasing work flexibility". We do not consider that it is incumbent on the World Bank or the IMF to advise the Government and social partners in the field of labour relations. We believe that the ILO is the right institution to do that.

The issue related to the trade union property confiscated by the State in 1992, has still not been resolved and the property has not been distributed according to democratic procedures. Different political groups and employers which speculate with property are making attempts to exercise pressure on the trade unions.

We will support the reforms by continuing to protect workers' interests and rights, while talking into account the social dimension based on ILO core labour standards.

We support the proposed withdrawal of 20 Recommendations. I take this opportunity to thank the ILO and the Multidisciplinary Team for Central and Eastern Europe, based in Budapest, for the assistance they have provided us, and to express my and Bul-

garian workers' hope that this cooperation will continue in the future.

Thank you for your attention, I wish the 90th Session of the International Labour Conference, successful, fruitful deliberations.

Original French: Mr. DE (Minister of Public Service, Employment and Labour, Senegal) — Allow me, on behalf of the Senegalese delegation which I am honoured to lead at this 90th Session of the ILO Conference, to address my warmest congratulations to the President on his election and on the very effective way in which he is leading our work. I should also like to congratulate the other Officers.

It is a great pleasure for me to address you from this podium and to comment on the Report of the Director-General and the report of the Chairman of the Governing Body.

I would especially like to welcome the format of the Director-General's Report. The use of strategic budgeting for the implementation of operational objectives has led to greater visibility of the Office's activities, as well as a clearer idea of the results obtained, amongst other things, thanks to the follow-up indicators. I welcome this major innovation which strengthens the confidence and trust between the Office and its constituents.

I noted with great interest the very significant achievements of the ILO, including the establishment of the World Commission for the Social Dimension of Globalization. We shall read with interest its first report, which we believe should do more to highlight social concerns related to economic globalization.

Other achievements included the organization of the World Employment Forum and the resulting Global Employment Agenda, support for the struggle against HIV/AIDS in the workplace and the campaign against the worst forms of child labour.

The attention of our continent has recently turned to the ways and means of implementing the New Partnership for Africa's Development, one of the most important aspects of which is human resources development.

In this respect the ILO, with its mandate and its tripartite composition which is unique within the United Nations system, has a very important role to play in the implementation of this continental programme which, I remind you, has the support of the international community.

The Government of Senegal welcomes the efforts already made by the Office, which has worked in cooperation with the Pan African Employers' Confederation (PEC) and the African regional organization of the ICFTU. The Office recently held two meetings in Dakar; the first was for the private sector in Africa and the second for African trade unions. Both dealt with the same subject, the New Partnership for the Development of Africa (NEPAD).

Among the conclusions of these meetings, we may mention the importance of basic infrastructures, such as roads and railways in the development process and the need for NEPAD to take the social dimension into account in all its policies. Given the challenges facing NEPAD, Senegal is more convinced than ever of the need for it to be implemented in tandem with a social dialogue in order to be able properly to achieve our objectives for human resources development, training, employment, social protection and enhanced productivity.

It is based on this belief and with this vision that Senegal has embarked upon social modernization. A tripartite working group has drafted a national social dialogue charter, which we hope will be adopted in the near future by the social partners and by the Government.

Senegal shares this desire for continuous social dialogue with its partners from the West African Economic and Monetary Union, whose labour ministers and social partners met in Ouagadougou in May this year to establish a body for social dialogue for the Union, so as to ensure that the social dimension is given due attention during the construction of the Union.

This meeting was held, thanks to technical and financial support from the Project to Promote Social Dialogue in French-speaking Africa (PRODIAF) of the International Labour Office.

I should like once again to express the Senegalese Government's satisfaction with its cooperation with the Office in such diverse areas, as the promotion of fundamental principles and rights at work, promotion of social dialogue, the strengthening of labour administration, the definition of a national employment policy, HIV/AIDS prevention in the workplace, the campaign against the worst forms of child labour and the development of health micro-insurance schemes.

We are also very happy to see that the question of the informal economy is on the Conference's agenda. The informal economy plays a very important role in our economy and in those of developing countries in general.

In our capacity as Chairman of the United Nations General Assembly Committee on the Exercise of the Inalienable Rights of the Palestinian People, member of the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, and member of the Al Quds Committee of the Organization of the Islamic Conference, we are following very attentively all the developments linked to the situation in the occupied territories.

On behalf of the Senegalese Government, I should also like to express our full sympathy for and solidarity with the people of Palestine. I should also like to take this opportunity to support the Director-General's initiative aimed at strengthening medium-term technical cooperation for Palestinian workers, inter alia through an employment and social protection fund. Our Organization, as a reflection of the social conscience of humanity, would thus make a contribution to the search for a lasting peace in the occupied territories.

Mr. TETABEA (Minister for Labour, Employment and Cooperatives, Kiribati) — I would like to add my good wishes to those of the previous speakers and offer my congratulations to the President and his colleagues on their election.

Although Kiribati is a new Member of the ILO, I had the privilege of addressing this great hall at last year's International Labour Conference. During my speech, I indicated that Kiribati was committed to achieving certain key goals before this year's Conference.

Fellow member States, it gives me great pleasure to inform you of some of Kiribati's achievements over the past 12 months. These achievements are particularly related to my country's effort towards ratification of the ILO fundamental Conventions.

Kiribati has now completed the translation of the eight fundamental Conventions and the Declaration into the Kiribati language. With the assistance of the ILO, the translations of both the fundamental Conventions and the Declaration have been compiled into a document that has been available for distribution to all I-Kiribati. I believe these are important steps taken by Kiribati to achieve fundamental rights at work. Obviously, Kiribati, being a new member State, would need a lot of ILO assistance in the form of promoting the fundamental principles at enterprise level, along with developing policies in legislation in the light of the fundamental Conventions.

Following completion of the translation, a tripartite committee conducted an assessment of the Conventions and the laws of Kiribati to ensure that Kiribati legislation fully supports the ILO Conventions. The Committee found that there were no hindrances to the ratification of four of these Conventions.

The culmination of all these efforts came on 22 May 2002, when the President of Kiribati, his Excellency Teburoro Tito, formally ratified four core ILO Conventions on behalf of the Republic.

These are the Forced Labour Convention, 1930 (No. 29), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Abolition of Forced Labour Convention, 1957 (No. 105).

The Kiribati Government will continue to work to ensure the ratification of the remaining ILO fundamental Conventions and, indeed, other ILO Conventions. We are particularly committed to ratifying the fundamental Convention relating to child labour.

However, there is much work to be done to ensure this aim is realized. We must also make sure that every person in Kiribati is aware of the content of these most important Conventions and what they mean to people in the workplace of Kiribati.

This is an enormous task. We sincerely hope that we can rely on the assistance of the ILO in carrying out this and other tasks in the forthcoming months and years.

The Republic of Kiribati is proud to be able to inform this great hall of our achievements in the past 12 months. However, our task has just begun and we have much work to do.

In particular, my country faces the challenge to provide decent work to all its people, particularly the young. Employment creation is therefore a top priority of the Government of Kiribati. Of equal importance are flexible types of employment, that is to say, part-time jobs, temporary jobs and other forms of short-term employment, which are rapidly increasing. Job security, equitable distribution of income, social security and industrial relations have been affected. This has marginalized workers and their trade unions, preventing decent work and reasonable income. This trend is taking place throughout the world, including in Kiribati. One has to know its origin and why it has happened. Perhaps the ILO may be able to assist in the creation of public awareness about the trend in this connection. This will enable Kiribati to face such a new challenge positively and effectively. Once again, I appeal for the continued support of the ILO and the international community in ensuring that we are able to face these issues.

Other important areas of ILO assistance are the studies on social protection systems, welfare of mari-

time workers, and globalization and its impact on trade union rights. ILO assistance will further be needed to transform the recommendations of these studies into practice to raise the standard of working conditions of the people of Kiribati.

I believe the Kiribati delegation will benefit greatly from this year's session of the Conference, and, in particular, from the discussion surrounding cooperatives and the informal economy which will be of great help to our country. I would like to thank the ILO for including these two items on the Conference agenda.

I would like to conclude by specifically thanking the ILO Suva Office and the multidisciplinary team (SEAPAT), which is based in Manila. The assistance of these two offices has been invaluable to Kiribati, and I look forward to their continued support in the coming years.

May I now bestow upon you the traditional blessing of my country: *Te Mauri; Te Raoi, Te Tabomoa* (good health, peace and prosperity).

Original Spanish: Mr. GARZON (*Minister of Labour and Social Security, Colombia*) — On behalf of the Government of the people of Colombia, I should like to convey my fraternal greetings, and wish you every success throughout this session of the International Labour Conference.

Work by governments, employers and workers, for a future without child labour, as has been said in the Director-General's ILO Report, should also prompt us to consider and work for a present and a future for our children which is free of violence.

In Colombia, violence is something we have now lived with for over 40 years. It has not only become more acute, but it has also declined to levels hitherto unknown in our country, having a negative impact on the dignity of human beings and international humanitarian law, which is the most serious aspect of all. Evidence of this is the assassination of trade unionists, employers, political leaders, journalists, bishops and priests of the Catholic Church, pastors from other Christian Churches, NGO activists, parliamentarians, mayors, social leaders, people from ethnic minorities and civil servants, many of them linked to the judiciary.

In addition to all these irrational murders of Colombian men and women, there have been abductions, death threats and attacks on the country's economic infrastructure. Cases in point are the recent abduction of a candidate for the presidency of the Republic, at the elections of 26 May, and the abduction of six members of the National Parliament, 12 deputies from the Legislative Assembly of the department of the Valle del Cauca, the current Governor of the department of Antioquia, two former Ministers of State, 45 military and police officials, various employers and, finally, more than 2,000 individual citizens.

For the most part, victims of this violence have been trade unionists, who have been murdered or subjected to death threats, chiefly by paramilitary groups and auto-defence groups, and certain business sectors, from which people have been abducted, mostly by guerrillas. Civil servants, inter alia, mayors and officials from the judiciary, have also been subjected to violence. They have been assassinated, threatened with death or coerced into renouncing their office and abandoning the regions where they live.

Behind this violence, which deteriorates daily and unfortunately claims children as victims in many cases, are auto-defence or paramilitary groups, or in other cases guerrilla groups drug traffickers or bands of delinquents are involved. Regrettably, for democracy, in some cases the courts and other state entities are also found to be linked to this violence.

Allow me to say before this Conference what I have said in my own country and within my own Government: with this level of violence that we are experiencing in Colombia, policies to revive the economy, reduce unemployment and achieve a state of well-being for the population may never even get off the ground unless we can embark on a path of respect for the civilian population within the framework of international humanitarian law and, first and foremost, achieve peace and reconciliation among all the inhabitants of our country, especially between the Government and the guerrillas.

Amid this situation of violence, both the State and society are endeavouring to maintain and consolidate democratic life in Colombia. On 10 March 2002, elections were held for a new Congress of the Republic, and on 26 May the new President of the Republic, Dr. Alvaro Uribe Vélez, was elected; he will take office on 7 August.

Finding the road to peace and reconciliation for our country has not been an easy task. We have been able to count on the cooperation of the international community, inter alia, bodies such as the United Nations and the ILO, but the efforts of the Government or the State are not sufficient. We also need willingness from other quarters, inter alia, the guerrillas, not only in the form of dialogue, but also to reach agreements to halt practices that flout international humanitarian law, such as abduction, attacks on the country's economic infrastructure, or indiscriminate military action that, on occasions has been against the civilian population.

The current Government, headed by the President of the Republic, Dr. Andrés Pastrana Arango, has made major efforts to attain peace through dialogue with the guerrillas. Following three years of talks, and despite cooperation by the international community, the attempt failed and the dialogue was broken off.

At all events, in my opinion, the only path to peace for Colombia is dialogue and agreement between the Government and the guerrillas. To this end, we must continue to promote social dialogue and consultation, especially so that the employers accept the idea that enhancing business productivity and competitiveness is closely linked to the development of decent work, protection of health and safety at work, and that trade unions are important institutions and fundamental to democracy. To achieve such a climate of peace in Colombia, with employment, well-being for all, and children at school and not at work, cooperation by governments, employers and workers represented within the ILO is fundamental.

As the Minister of Labour, and having promoted social dialogue, negotiation and consultation between employers and workers, having called for respect for the right to strike and to form trade unions, for freedom of association and autonomy, I would invite you to strengthen the tripartite cooperation programme with Colombia which is being implemented. The main aims are to promote human rights, fundamental labour laws, the development of collective bargaining, the upgrading of labour legislation to bring it into line

with international labour standards, the strengthening of social dialogue, and protection of the life of Colombian trade unionists.

I am convinced that, with the efforts and goodwill of the ILO, headed by its Director-General, and of the employers, workers and Government of Colombia, this programme will make a massive contribution towards combating impunity in our country, achieving a new form of labour relations and building a democratic culture of peace in our country.

Ms. FENTON (*Workers' delegate, New Zealand*) — I welcome the opportunity to speak to you as the voice of organized labour in Aoteroa, in New Zealand. I am addressing my remarks to Strategic Objective No. 3c of the Director-General's Report in respect of improved working and employment conditions for vulnerable workers. The main area I want to speak on is protection for workers in situations of sale, transfer or contracting out. To some extent the issues raised in the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), on responsible contractors and this year's discussion on the informal economy are also relevant.

After over ten years when union rights, worker protections and respect for ILO Conventions had sunk to a shameful low point in our country, New Zealand, we can now say that since late 1999, there have been significant improvements in both legislative protection for workers, promotion of collective bargaining, employment creation through a renewed interest in modern economic development strategies, and a greater sense of partnership between the Government and unions.

The significant milestones include: a new employment relations law, 12 weeks' paid parental leave, restoration of lump-sum compensation for work accidents, increases in the minimum wage as well as significant increases for young workers, and a new Bill on health and safety. Progress has been made on a new Holidays Act, and a policy has been announced which will more than double the maximum priority debt which can accrue to workers when their employer becomes insolvent.

In terms of the social wage, there have been increases in superannuation payments, additional state housing and reduced state housing rentals, and higher health spending (particularly in terms of capital expenditure for hospitals). There has been a very successful modern apprenticeship scheme launched to encourage young people into formalized training, and there have been higher levels of expenditure in industry training. In recent weeks, the degree of consensus on the necessity for greater momentum to achieve higher levels of training, retraining and skill development of the current workforce has resulted in a new tripartite initiative between the Government, Business New Zealand and the Council of Trade Unions. This will aim to, for instance, improve the uptake of workplace training in small and medium enterprises.

So, the Council of Trade Unions of New Zealand would say, "A lot done, but a lot more to do."

One of the particular areas is to ensure that there are protections for workers when their firm is sold, or work is transferred or contracted out. Both Government parties had election promises to ensure that workers received such protection, but for a number of reasons the particular proposal included in the Employment Relations Bill 2000 failed to hit the mark.

Subsequently, the Government established a Ministerial Advisory Group which went through two stages of consultation, considering technical issues in relation to possible protections as well as assessing the impact of a regulatory intervention.

There is no doubt that this is a complex area. Although approaches such as the Acquired Rights Directive from Europe and the "transmission of business provisions" from Australia were of assistance, there are a number of differences in New Zealand law that have restricted the initial scope of possible solutions. For instance, in New Zealand, redundancy case law has meant that it is virtually impossible to challenge the substantive grounds for redundancy dismissal. So it is difficult to even get to the position where "economic, organizational, or technical considerations" are relevant. Unlike Australia, we do not have an award system any more, so their provisions have not been much help.

Of immediate concern are the many workers in cleaning and catering sectors who face a constant process of competitive tendering by firms, with the result that their wages and conditions are bid downwards in a process that seems to know no end. It is no coincidence that many of them are women, Maori or Pacific peoples. What we discovered during the consultation phase was that there are two main categories of employers in a transfer scenario. There are those for whom the human capital is a critical part of the transfer. Wages, conditions and service are either preserved, or redundancy compensation is paid. Then there are those for whom labour is considered easily replaced. There is no intrinsic value in the human capital. Those employers do not want to preserve pay and conditions or job security, and actively resist compensation.

So we have come up with a four-point proposal to address this situation. It targets an initial legislative protection to the most vulnerable workers in the sectors already mentioned and involves work in or around the same premises. Secondly, we believe a scale of redundancy compensation should be negotiated by law as part of every collective agreement. Thirdly, there needs to be regulation in the state sector, and finally, more work needs to be done on generic worker protection in relation to the sale, transfer and contracting out process.

We do not pretend that this is an ideal package. But it is now time for our Government to act on their promises in this area. They already have a good track record, but the workers seeking this protection are among the most vulnerable in our labour force.

Hopefully, when we next have the privilege of addressing the International Labour Conference, we will be able to report that the Government has acted to address this very important issue.

Mr. JOSEPH (*Government delegate, Trinidad and Tobago*) — I would like to begin by congratulating the President and the Vice-Presidents on their election to the esteemed leadership post which they hold at this 90th Session of the International Labour Conference.

This session of the Conference is taking place in a period of human history characterized by unprecedented opportunities and extraordinary challenges. It is Trinidad and Tobago's view that these challenges can best be addressed by an intensification of the philosophy and procedures advocated by the ILO since its inception.

Trinidad and Tobago commends the Director-General, the Governing Body and the ILO staff for the successes in reforming and modernizing the Organization and in making it more results-oriented. We compliment all concerned for these successes in meeting the strategic goals set. We sincerely trust that this record of achievement will be maintained with respect to all the new strategic objectives set by the Organization.

An historical World Employment Forum was recently convened to address the vexing international problem of unemployment, particularly within the context of globalization. Trinidad and Tobago fully endorses the ten-point plan identified by the Forum. We confidently believe that the ILO, with its growing international influence and its tripartite structure is in the best position, among all international bodies, to pursue effectively the Global Employment Agenda.

In particular, we endorse the approaches being taken to address the problems associated with the informal global economy, especially to guarantee to all decent work. In this regard, we join the consensus of support for the strategies aimed at promoting employability and productivity, as well as upgrading employment through education, training and skills development. We especially endorse strategies to ensure quality job creation through enterprise development, incorporating the use of all models of cooperatives and of small businesses.

Specifically, we support the strategies directed at intensifying the promotion and the realization of standards and of fundamental principles and rights of work. We endorse these initiatives, particularly as they relate to women, children and disadvantaged social groups.

We join the consensus of support for improving social protection for workers across the board, both in the informal and the formal economies. We emphasize here widening social security statutory provisions, improving occupational safety and health standards and strengthening HIV/AIDS services.

We wish to record the appreciation of the Government of Trinidad and Tobago for the job being done by the Caribbean Office of the ILO under the astute leadership of its Director, Mr. Willi Momm.

Finally, I wish to stress that we in Trinidad and Tobago have a profound faith in education and training as a strategy for all aspects of human development. In this connection, we would like to repeat a request we made one year ago. We suggest once more that the ILO revisit the existing practice of centralizing training in Turin and Geneva.

We raise again the possibility of the ILO establishing a regional residential training centre as an adjunct to the University of the West Indies campus in Trinidad. Trinidad and Tobago possesses an ideal geographical position and a suitable social and economic climate for the location of such a training centre.

Trinidad and Tobago continues to rely heavily on the spirit of solidarity enjoyed with member States in the Caribbean subregion and within the wider group of Latin American and Caribbean States (GRULAC) community. This support was crucial to Trinidad and Tobago's contribution to the Governing Body. It is within this context that we hail the presence, as a special guest at this Conference, of the distinguished Prime Minister of Barbados. We fully endorse the content of his brilliant and timely address.

In closing I wish to emphasize that the Trinidad and Tobago Government has recently published a well-documented programme for positioning Trinidad and Tobago for the global age. All the strategies now being advanced by the ILO are fully consonant with that programme. It is in this regard that we hope that the ILO will make the necessary budgetary allocations in order to achieve its stated strategic objectives.

Mr. PATOMBONG (*Workers' delegate, Indonesia*) — Allow me first of all, on behalf of the Indonesian workers, to congratulate the President on his election to preside over this prestigious 90th Session of the International Labour Conference, as well as the two Vice-Presidents, representing employers and workers.

We are proud of the fact that Indonesia has ratified all of the ILO core Conventions. Moreover, as you may be aware, my country's trade unions are currently encouraging the Government of Indonesia to initiate the ratification process of the Labour Inspection Convention, 1947 (No. 81). Despite deploying serious efforts in this area, a number of considerations are nevertheless slowing down our activities.

First, the Government of Indonesia has given each of the provinces greater autonomy in dealing with its own affairs. These changes have in turn required that more time and effort be devoted to the dissemination of the content of the Conventions to all parties concerned. The recognition of workers' rights by employers' representatives in some of the provincial and municipal districts is taking time, forcing us to pursue our dialogue with our partners in the local governments and with the employers, in order to find a satisfactory solution.

Second, the ratification and implementation of the core Conventions will of course affect the existing national labour legislation. In this context, two draft bills have been submitted to Parliament for deliberation and endorsement, namely the draft bills on manpower protection and development and on labour dispute settlement. In addition, the Government, the employers and unions are currently discussing the draft for the revision of the social security insurance for workers.

We are much concerned that Indonesia still lacks the necessary technology to enable it to adapt its economy and development to be in line with the world economy. The industrialists are having to reorganize and restructure their production activities through subcontracting and the introduction of individual agreements. These new methods, which are becoming increasingly popular, are beginning to affect wage structures and motivation. The consequences for the Indonesian workers have been dramatic, with a corresponding loss in job security and good employment relations. Privatization, acquisitions and capital disinvestment are all policies which workers fear. It is little wonder therefore that they see privatization as being synonymous with joblessness. Thus, it is necessary to promote the informal sector and to develop SMEs, including the forming of co-operatives, and to actively encourage the acquisition of new skills.

Third, since Indonesia's satisfaction of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), national federations and approximately 200 industrial unions, as well as hundreds of local and enterprise unions, have emerged all over the country. It is therefore vital to

promote healthy industrial relations, both within companies and at the national level, in order to seek a satisfactory solution based on the national tripartite mechanism.

Faced with such problems, good and close cooperation between the developed and developing countries, both bilateral and multilateral, is an essential condition of success. In this regard, let me reaffirm the Indonesian workers' continuing faith in the work of the ILO as an international tripartite organization and their readiness to cooperate fully in attaining economic progress and social justice for all.

Finally, in conclusion, I feel compelled, in the light of the recent events which have shaken the Middle East, to express the Indonesian workers' solidarity. I should just like to take this opportunity to appeal to all the parties concerned to continue searching for a peaceful solution centred on the protection of the Palestinian people, based on the relevant UN resolutions.

Mr. DREVER (*Government delegate, Australia*) — The Director-General's Report presents a refreshing change with its emphasis on reporting outcomes rather than activities. The Report was not only easier to comprehend but also made future directions clearer. We congratulate the Director-General and the Office on this move to outcomes-based reporting. It is not easy to make this transition, but it is well worth the effort, and we encourage the Office to continue in this direction. As the Director-General's Report emphasizes, the number of conferences and meetings is not significant, rather it is what they achieve.

We would like to emphasize the importance of evaluation of programmes. While evaluation may require additional resources in the short term, it will eventually release resources by identifying inefficiencies. Evaluation teaches us to learn from mistakes, and it is heartening to note that the Director-General has acknowledged deficiencies identified in the ILO's 2000-01 programme, such as the need for "greater focus, better integration and coherence".

I turn now to the International Labour Code. As we all know, the International Labour Conference has adopted 184 Conventions since it began its work in 1919. The Governing Body Working Party on Policy Regarding the Revision of Standards recently completed an evaluation of these Conventions. Of the 184 Conventions, only 71, or 38 per cent, were confirmed as being up to date. This is obviously a matter for concern. The Working Party is to be applauded for its valuable work in acknowledging that many of the Conventions adopted 40 or more years ago are inappropriate in today's world. We welcome the fact that the Governing Body has made it official, that at least 54 Conventions are outdated, and has identified another 48 that should be revised or are no longer "fully up to date". In fact, these outcomes are likely to be conservative as the Working Party dealt with mostly technical issues.

Australia urges those Members which have not already done so to consider accepting the 1997 Constitutional Amendment, which will enable this Conference to abrogate outdated Conventions and enable the ILO to devote more resources and attention to those Conventions which remain relevant.

The Office has had considerable success in promoting the ratification of the eight fundamental

Conventions. As the Director-General noted in his Report, there is now near universal acceptance of these Conventions, with an average of 145 ratifications per Convention. The ILO can be proud of these statistics.

However, compare this to the average of ten ratifications each for the 20 Conventions adopted between 1986 and 1997. Two of these so-called “modern” Conventions have received only two ratifications each! The development of the texts of these Conventions takes up a significant amount of resources, both for the Office and for every country here today. It would not be an exaggeration to call each new instrument a mega-million dollar exercise, and it could be said that we are wasting our time, effort and resources developing and adopting Conventions which the great majority of us have no intention of ratifying.

What is the problem here? We believe that it is the selection of the topics for consideration by the Conference. Australia calls on the Governing Body to stop proposing new topics for the Conference unless there is a demonstrated specific and substantive need for an international treaty on the new topic as, for example, with the Worst Forms of Child Labour Convention 1999 (No. 182). The high ratification rate of this Convention reflects the success of such an approach.

Credible standards are fundamental to the ILO’s standing, so these low ratification figures for modern Conventions should be of concern to everyone. What is more worrying is the fact that, under current administrative arrangements, it will take many, many decades to get the International Labour Code up to date. For however long the Code remains in its current state, the relevance of the ILO itself will come into question.

As a general rule, the Governing Body should focus the Conference agenda on revising the existing International Labour Code to bring it into line with the needs of the twenty-first century. The Office should develop innovative proposals for a clear programme, supported by appropriate administrative arrangements, to enable this objective to be achieved as soon as practicable.

(Mr. Hussain takes the Chair.)

Mgr. MARTIN (*Apostolic Nuncio, The Holy See*) — The significance of globalization has been a recurring theme of this year’s Conference. Work is central for a globalization focused on the needs of people. Globalization must not be allowed to become an ideology — neither a pro-globalization ideology nor an anti-globalization ideology.

Instead, we must work to verify objectively where globalization has been successful, for the benefit of broad sectors of society, and where it has not. We must identify why and how globalization has worked well or been unsuccessful. We must establish the optimum mix of elements leading to a socially favourable integration into the globalization process, and which are the elements that foster marginalization.

The Holy See hopes that the independent World Commission on the Social Dimension of Globalization will not focus on sterile ideological debate but will promote a process which is forward-looking and results oriented, and which will foster coordinated and integrated responses.

Successful transformation of the globalization process requires policies that foster greater inclusion and integration and less fragmentation. The tripartite structure of the ILO is an integrating element quite unique in international life, and a powerful means of overcoming polarization. By focusing on the needs of the person as the central protagonist and beneficiary of work, to use the words of Pope John Paul II, tripartite dialogue can show that “profit is a regulator of the life of a business, but it is not the only one; other human and moral factors must also be considered which, in the long term, are at least equally important for the life of a business”.

However, like many other realities, tripartism must adapt itself so that it can work more effectively within the realities of globalization, addressing its challenges and challenging its deficits. Tripartism must clearly identify the areas where it has specific advantage and value, and vigorously defend its role in those areas where its indispensable contribution is recognized. It must not allow its proven value to be weakened by less focused and, at times, less representative forms of association. The globalized economy still requires “broad associated Workers’ movements, directed towards the liberation and promotion of the human person”.

At the same time, tripartism cannot remain static. The worlds of employers, labour and government have changed, and there are many factors in the current global economic model that are contributing to the weakening of the tripartite model. Just like its individual constituents, tripartism must find ways of addressing these new challenges. While maintaining the tripartite system, new partnerships can be established through dialogue with various sectors of civil society. Traditional links, like those between religious leaders and the world of work, for example, can be given new vigour.

Work is a key factor in creating social cohesion and sustainability. The world needs new alliances in favour of work. Broad social dialogue is therefore a common interest and a common responsibility for all of us.

Original Spanish: Mr. LEDEZMA VERGARA (Government delegate, Panama) — The Republic of Panama has been a Member of the International Labour Organization since 1919, and is among the top 20 countries in terms of ratifications of Conventions; it submits its reports on time and pays contributions in advance and although, by reason of geographical distribution, it is not a regular or a deputy member of the Governing Body, it has always played an active role and cooperated wherever able to do so. This illustrates Panama’s interest in and respect for this Organization.

The vision of a strategy-based budget has paved the way for the successful attainment of established objectives. The strategic objectives themselves represent a foundation for the construction of a world grounded in decent work, a commitment which the Republic of Panama wholeheartedly endorses.

Information on world unemployment, poverty and extreme poverty reveals alarming figures, and if we also consider the number of people who will enter the labour market in the next ten years, chiefly young people and women, a warming light comes on; this situation will require the continuation of plans and programmes already initiated and the development of

new joint actions with other bodies which, in one way or another, participate and are involved in this issue.

Every cloud has a silver lining and so, although globalization has not produced the desired effects, particularly for developing countries, it is imperative that we discover and apply the advantages that it offers and which we can glean from it.

We applaud the creation of the World Commission on the Social Dimension of Globalization, made up of 25 eminent personalities from different regions. It will be reporting in the near future, and we await its report with great interest, but without undue excitement, because we know that it has no magic wand to resolve all problems.

The current picture clearly demonstrates that it is essential that in the immediate future principal strategic objective of the ILO must be the creation of the conditions necessary to generate decent employment and reduce world poverty.

The World Employment Forum demonstrated the great responsibility and galvanizing power of this Organization and within it, of course, the Director-General. This places this Organization in an ideal position to cooperate with other organizations involved in this issue.

Tripartism, social dialogue and consultation are the principles that govern the ILO and give it a privileged position to promote sustainable development and social peace throughout the world.

We applaud the action taken to promote social dialogue and fundamental standards, principles and rights at work which should be recognized as human rights in jurisprudence at a constitutional level. This would guarantee permanent respect for all these rights and should directly promote the fundamental principles.

For all these reasons, and without any mental reservations whatsoever, I wish to state that the Report of the Director-General is an instrument of focus and retrospective analysis which will promote equitable development for mankind.

I must conclude by saying that the Director-General's Report does not do itself justice. It omits certain action taken in the Republic of Panama with respect to social dialogue, the elimination of child of labour at ages prohibited by law and the analysis and revision of employment policies designed to generate employment and reduce poverty.

Original French: Mr. TSHISWAKA KABANDA (Government delegate, Democratic Republic of the Congo) — It is a great pleasure, on behalf of the tripartite delegation of the Democratic Republic of Congo, to congratulate the President of this session of the International Labour Conference and its three Vice-Presidents on their well-deserved election to head the 90th Session of the Conference, whose discussion they are skilfully leading.

We would like to take this opportunity to warmly congratulate the new members of the Governing Body, to whom we wish a fruitful term of office.

We would also like to congratulate Mr. Juan Somavia, the Director-General of the ILO, who has promised to make the ILO a dynamic organization combining adaptability and strategic vision in a changing world of mounting challenges.

The excellent Report of the Director-General on the implementation of the programme and activities of the ILO during the biennium 2000-01 reflects the

ambitious programme of action that our Organization has set itself.

Our delegation is of the view that the management schemes and deeper structural reforms carried out during the period 2000-01 have enabled the Organization, as a whole to acquire a better sense of strategic direction and to boost its efficiency.

We must therefore adopt a new approach to one of the central issues facing us at the beginning of this century, that is to say, how to see to it that public policies correctly reflect the importance of work in the life of our peoples and their desire for decent work.

More than ever before, the ILO must back the efforts of its constituents to formulate suitable employment policies and to fully implement standards resting on fundamental rights to work, so as to secure economic growth and sustainable human development.

While this important meeting is taking place, the Democratic Republic of the Congo, our great country, is experiencing the most tragic socio-economic and geopolitical situation in its history, because it is facing a crisis brought on by the concurrent effects of a genocidal war of aggression that has flared up time and time again.

Despite this catastrophic situation, the Government of the Democratic Republic of the Congo, under the leadership of the President of the Republic, Major-General Joseph Kabila, is taking resolute steps to find effective ways and means to make substantial political, economic and social changes, in order to foster lasting peace, restore macroeconomic stability and improve the actual well-being of the Congolese population.

That is the background against which the political agreement on the consensual management of transition was signed on 19 April 2002, in Sun City in South Africa, between the Government, part of the armed opposition, most political parties and most of the actors of civil society.

Under the provisions of this agreement, a working party representing all parties has been set up to draw up a draft transitional constitution.

In signing this agreement, the Government wished to forcefully demonstrate its commitment to peace. All other components of society which had not signed were immediately invited to join in nationwide efforts to reinforce the common will to reunify the country.

The Government's policy to revive the economy began with the Interim Economic Stabilization Programme formulated and implemented with the assistance of the Bretton Woods institutions.

Under this programme, measures to correct macroeconomic management have been taken with a view to gradually liberalizing the economy and bringing in a floating exchange rate, a realistic price for fuel and a rigorous budgetary policy.

At social and legal levels, the Government has undertaken to improve the population's living conditions and to secure the rule of law so that legal security becomes a reality in the Democratic Republic of the Congo.

Thus, in order to demonstrate its determination that the purpose of national laws should be to secure social progress, the Government, with the invaluable assistance of the social partners within the framework of sincere social dialogue began, during the 29th Session of the National Labour Council, a tripartite consultative body, which met from 16 January to

12 February 2002, to revise the Labour Code, adopted 35 years ago, which contained some obsolete provisions.

We welcome the help of the International Labour Organization, which made some pertinent comments, most of which have been taken into account in the new draft Code.

In order to expand social protection, the Government has promised an immediate reform of its social security system, that was set up 41 years ago.

The Government is once again calling for the technical assistance of the ILO in order to implement this reform. I hope that the discussions at this session of the Conference will provide our Organization with a broader basis for creating conditions such that each and every human being can prosper in freedom and dignity.

Original French: Mr. WADE (*Employers' delegate, Senegal*) — First and foremost, I address my sincere congratulations to the President on his election to the Chair of the 90th Session of the International Labour Conference. I should also like to convey these same congratulations to the other Officers at the session.

I would also like to congratulate our Director-General, Mr. Somavia, who has demonstrated the usefulness of tripartism and social dialogue in all decision-taking of an economic or a social nature. Throughout his mandate, he has earned a pride of place and a credibility for our institution which is an honour to us all. I should also like to express our appreciation for the eminent Prime Ministers of Malaysia and Barbados having been invited to share with us their very lucid visions of globalization.

The new approach, based on a tripartite consensus on decent work and the four strategic objectives, aims to ensure that our institution is the flagship of international organizations and is able to promote a forward-looking vision of economic action and social progress.

In Africa our main concern has been to work towards sustainable social-economic development within the framework of the New Partnership for Africa's Development (NEPAD).

In taking the initiative to hold the first private sector meeting on NEPAD, on 17 and 18 January 2000 in Dakar, the National Employers' Federation of Senegal enabled these employers' organizations, which are members of the Pan-African Employers' Confederation, to take full civil and social responsibility for promoting private investment, decent work and basic infrastructures and for improving the living conditions of African populations.

Allow me to address our sincere thanks to Mr. Juan Somavia, Director-General of the ILO, to Mrs. Régina Amadi-Njoku, Regional Director of ILO, to Mr. François Retournad, Director of ACT/EMP and Mr. François Perigot, President of the International Organisation of Employers, who have not only supported the project but have contributed vital input without which this major Pan-African event could not have taken place.

NEPAD has a number of benefits; firstly, it is a continent-wide concept led by great African leaders who have a common vision based on good faith, determination and cooperation and, secondly, it will enable employers' organizations to play an important role in overcoming the fundamental rift between developed countries and our continent.

I would like to congratulate the ILO for having set up the World Commission on the Social Dimension of Globalization. The social dimension is something that, as employers' organizations, we are very much aware of and which we examined at the Dakar conference on the role of the private sector.

One of the main recommendation related to the social and cultural dimension of NEPAD, a dimension which was not previously taken on board when we had to put in place structural adjustment programmes sponsored by the IMF and the World Bank. We felt that this social and cultural dimension should not only be at the heart of social harmony but that it should be seen by social partners as a means, as a way of acting, an outcome and even as an aim in itself. It is important that we encourage our populations to support this economic and social project.

When it comes to eliminating the worst forms of child labour our employers' organization felt it was important to be involved in the productive areas of the informal sector, especially where child apprentices are concerned, by trying to ensure their safety, health and social protection and to create the prospect of decent jobs in the future.

On 18 November 1999, we created an occupational group in the metallurgy, mechanics and automotive sector, consisting of 13,030 professionals, 58,482 apprentices and 14,620 child apprentices; and on 1 December, the National Association of Parents of Child Apprentices, bringing together more than 300 parents, which is undoubtedly the first association of its kind in Africa.

The idea is not only to prevent and eliminate the many risks which child apprentices have to face but also to ensure that children in apprenticeships are taken better care of as a result of increased parental involvement.

For many families child apprenticeships are seen as a considerable extra income to help alleviate the misery and poverty which affect them year after year. This poverty is exacerbated where there are no training structures as is the case in Senegal in areas such as baking, bricklaying, tiling and metallurgy. It is therefore important to try and put in place proper apprenticeship structures.

The informal economy in our country plays an important role in reducing social tension.

We believe that employers' organizations can and should act by building bridges between the informal and formal sectors; making economic operators in the informal sector more aware of their responsibility and the need for solidarity when it comes to creating jobs, the concept of decent work and social protection, and by getting apprenticeships accepted as part of the business culture.

Our message would be that human capital must be protected.

Mr. YA TOIVO (*Minister of Labour, Namibia*) — I should like to congratulate Mr. Elmiger on his election to preside over this 90th Session of the International Labour Conference. Let me also commend the Director-General and his staff for achieving most of our objectives, as set in our strategic budgeting process. In particular, I want to laud the Office for its excellent Auditor's Report that has been given for the last two years.

Speaking about auditors' reports and money, I cannot but voice my disappointment about the attitude

that prevailed during the debate about the surpluses, which occurred due to arrears being paid. I find it unbefitting and wrong if members are requesting to be refunded from paid arrears. I would like to insist that the financial rules be amended, so that it becomes impossible to claim a refund from any arrears received by the Office.

With regard to the Decent Work Agenda and its four strategic objectives, we can be pleased with our achievements. It is my opinion that the ILO has again become more relevant to people. This is so because of our people centered policies, which protect not only labour standards and social justice, but also values and rights of vulnerable groups and communities. In a world where the privileged determine the rules for the poor, it is absolutely necessary to restore social justice and equality of opportunities and, I think the Decent Work Agenda of the ILO does contribute significantly toward this aim.

This session of the Conference deliberates on very important topics, namely the informal sector, cooperatives and occupational accidents and diseases. A large informal sector is characteristic for poor developing countries. It is also characterized by the non-compliance with most, if not all, ILO standards, and yet it is propagated as the one and only solution for poverty alleviation.

We may not be tempted to use different yardsticks in an effort to avoid equal treatment. People in developing countries have exactly the same aspirations for a decent life as those in developed countries. The difference is that the chances of a decent life in countries dominated by an informal economy are very limited for the majority. Our aim should therefore be to improve these chances and not to perpetuate a hopeless situation.

The prevention of occupational accidents and diseases should be a top priority for everybody. Recent statistics show the occurrence of about 5,000 fatalities daily, caused by occupational accidents or diseases. One could say that the world is experiencing 11 September every single day. The trauma associated with losing a family member due to unnatural causes is the same, but the priorities we attach to preventing recurrences of the one or the other are not the same. This is a shame, because a human life has the same value, regardless where it is lost on the globe.

I am happy that cooperatives and their relation to the world of work are being discussed. Cooperatives are indeed important development tools and therefore they too have to aim for levels of decency. We should not even think of trying to avoid tripartism in cooperatives. In fact the whole Decent Work Agenda has to be embraced by cooperatives. The four strategic objectives are interdependent and an approach where they are treated as if they are independent entities is wrong. It is therefore important to ensure that cooperatives integrate the Decent Work Agenda into their programmes.

The last issue I wish to raise today has regard to the situation in Palestine. Gross injustices are done to the people of that region. It is my observation that we have not succeeded in promoting and implementing the Decent Work Agenda there. On its own, this is very sad indeed, but what is even more worrying is the lack of goodwill. On a daily basis, we are being informed about violence, deaths and serious human rights' violations, but we are failing to improve the situation. I think we know the problem and think we

even know the causes of the problem, but still we pretend to not know the solutions. For the sake of showing how serious we are with the Decent Work Agenda, we have to get involved to stop these obvious injustices once and for all.

Original Arabic: Mr. DJEMAM (*representative of the International Confederation of Arab Trade Unions*) — In the name of God, the Merciful, the Compassionate! I should like to congratulate the President and Vice-Presidents on their election, and should like to congratulate the Director-General on his Report concerning the future of mankind and the dignity of man.

On behalf of the International Confederation of Arab Trade Unions, I should like to confirm our support of activities aimed at making the ILO an active partner in the decision-making process at the World Trade Organization and the international financial institutions. We also confirm our support of efforts for the promotion of meaningful dialogue conducive to the defence of the social and economic rights of all workers. We also support efforts aimed at recognition of its Declaration on the Fundamental Principles and Rights at Work and the Conventions that confirm those rights. The issues before this session aim at ensuring protection for all workers, at reinforcing social justice and ensuring human dignity. But how can all this be done in the world of today which has lost its values in the tide of merciless globalization? How can we possibly prevent child labour in poor countries weighed down by debt, economic blockades, occupation and armed conflict?

It is all very well to say that children should go to school and that adults should work. But how? When the conditions today are such as they are.

If we look at what is happening today, example, in the occupied Palestine territories as a result of the actions of Israel, which has the moral and material backing of the United States, where schools, factories and homes have been flattened, trees uprooted and the land destroyed, by weapons supplied by the United States. Never before have there been such actions, whose brutality and cruelty have surpassed the actions of the Nazis and Fascists and those of the apartheid era. Nonetheless, the American President Bush calls the criminal Sharon "a man of peace". The Report of the Director-General proposes important recommendations such as the provision of support to the people of Palestine and setting up a fund for this purpose.

We greatly regret that the Report does not call a spade "a spade", but uses terms that are far from reality, equating the aggressor with the victim, and the colonizer with the colonized.

Many of your peoples have known the barbaric humiliation of colonization. Did you call the resistance of your peoples "terrorism" and defence of rights and freedom "violence"?

Did you call the destruction of your national institutions, the imprisonment of your militants and the murder of your children by any name other than barbaric, inhuman, racist and hostile actions?

Last century was the century of the ending of colonialism and slavery. But Palestine alone remains under the yoke of an odious Zionist occupation intent on establishing settlements, in defiance of the will of the entire world and United Nations resolutions, heedless of international opinion. The people of Palestine have

the right to enjoy peace, freedom and independence, without which peace in the region, and indeed in the entire world, will be in danger. The international community must oblige Israel to comply with the United Nations resolutions and withdraw from the Palestinian territories, the Syrian Arab Republic, Golan and South Lebanon, so that a Palestinian state can be established, with Al-Quds as its capital.

I should like to confirm our desire to strengthen social dialogue, trade union rights and freedom and our support for assistance aimed at respect for human dignity and the achievement of its welfare.

Hence, our condemnation of the policy of blockade imposed on many countries throughout the world. These have negative effects on the lives of workers and their families, harm the economies of the countries involved and obstruct their development. We call on the United States to desist from its policy of hegemony that threatens to drag all humanity into catastrophes of unforeseeable magnitude.

We call for the lifting of the blockades of Cuba, Libyan Arab Jamahiriya, Sudan and Iraq, and we call on Iraq and Kuwait to find a solution to the tragedy of the Kuwaiti prisoners and the Iraqis who have disappeared. We condemn the blind violence in Algeria which obstructs its stability and impedes its progress.

Original German: Mr. ARBESSER-RASTBURG (*Employers' delegate, Austria*) — I should first like to congratulate the President on his election to the chair of the 90th Session of the International Labour Conference. I am convinced that on the basis of his personality and rich experience, he will make this session a success.

Today, I am addressing the plenary in my capacity as an Austrian Employers' delegate for the last time; after more than 43 years of work in various ILO departments, I am stepping down. Since the World Summit for Social Development in 1995 in Copenhagen, the ILO has enhanced its special importance as a member of the United Nations family and is regarded as the world's social conscience. Hence, I believe it should receive more support than has been the case from the Bretton Woods institutions so that it can better perform its varied and important tasks.

At the same time, I ask that all ILO member States meet their financial obligations to our Organization.

On the basis of my experience, permit me to make a few observations, firstly on the question of standards.

What matters is not how many Conventions have been adopted, but how many have been ratified and how well they are implemented. Thus, the revision of old standards is preferable to the adoption of new Conventions since this would better fit current circumstances. What good is a Convention that is only ratified by a few States.

The primary task that our organization has set for itself is helping developing countries. Political and economic developments during the past 12 years have greatly increased the importance of the ILO for Europe, too, however. The multidisciplinary teams in ILO branch offices in Budapest and Moscow have done an outstanding job. They have helped set up workers' and employers' organizations in Eastern and Central Europe as well as in the Commonwealth of Independent States.

More than 43 years ago, I was part of an industrial advisory committee as an Austrian Employers' delegate for the first time. Since then, I have been a

member of several committees of this kind in various capacities, most recently as chairperson four times. I have learned that these committees are of crucial importance to our Organization because they give government experts, employers and workers from numerous countries an opportunity to study others' problems and expand their knowledge.

Let me draw your attention to an important point: the training further training of ILO staff. The importance of this matter cannot be underestimated, particularly at a time when many people are leaving our Organization. The qualifications of staff members are the pillars of the ILO and a guarantee of its successful work, even in difficult times.

Over more than four decades in various capacities at the ILO, I have learned that fruitful cooperation among governments, employers and workers — and mutual understanding — is crucial to finding common solutions to difficult issues.

Speaking here today to friends from all three groups, I would like to close with the words, in the ILO's Constitution, which are as true today as they were when the ILO was founded in 1919: "Universal and lasting peace can be established only if it is based upon social justice."

Mr. THAKKAR (*Workers' delegate, India*) — Please lend me your ears and your hearts too. I congratulate our Director-General on his mediatory role in the issue of Myanmar.

Addressing the Global Employment Forum, the Director-General said that our legitimacy was under question. I am sure he meant that enough employment has not yet been generated through the forum. Further, he revealed at the World Summit for Social Development 1995, that 140 Heads of State wanted the profit-generating industries to generate employment. Unfortunately, capitalists have not obliged.

A lot has been done to address the child labour problem, but a lot more needs to be done. About 246 million children worldwide need to be rescued. About 111 million of these children labour in hazardous work and 8.4 million are caught in the worst forms of child labour, including slavery, trafficking, debt bondage and other forced labour. Unfortunately, the majority of these children belong to Africa, the Middle East and the Asian countries.

In the plenary of 1999, the President of the United States pleaded that globalization had come to stay and that people would have to learn to live with it.

Addressing the present plenary the Honourable Prime Minister of Malaysia has virtually denuded the mentors of globalization.

The United States Democratic presidential pre-candidate Lyndon H. LaRouche Jr. warns, "... we are in the end-phase of the IMF system, at least as it has existed in the form it developed following US President Nixon's introduction of a so-called "floating exchange-rate" monetary order in mid-August 1971, "Nothing can save the present world financial and monetary system in its present form."

Friends, we have experienced the greatest debt default in the history of mankind, Argentina; the largest ever failure of a retail firm, Kmart; the biggest ever telecom bankruptcy, Global Crossing; and the largest corporate failure in all the categories of all time, Enron.

And, Japan, the second largest economy of the world has a negative net worth of \$1 trillion

in its bank. Globalization will add many more such cases.

Joseph Stiglitz, the Nobel Laureate, has disclosed successfully the evil design of the conditionalities inflicted by the World Bank and the International Monetary Fund on the developing countries and they are: privatization, free flow of capital, market pricing and free trade.

The present world economic order is capital-oriented and denies the worker his rightful dignity and right for dignified livelihood. The accumulation of wealth in the hands of a few has made captives of trade and commerce, intellectuals and politicians, and have lost all ethical values of human life have been lost.

Sister Patricia Wolf, a nun who has nothing to do with material wealth or worldly affairs, has also moved against this unethical governance by large corporate managements. She says: "Even if the episode of Enron fails to open the eyes of leaders we cannot keep quiet." She has called for a crusade against unethical governance, denial of trade union rights to workers and fleecing of world resources.

To cap all this, the ICFTU has revealed the terror of capital against the trade unions in a survey for 2001. Repression against trade unions is on the rise, with 209 trade unionists assassinated during the past year. Terrorism, particularly in post-11 September era, has created a great threat and challenges to the workers of the world.

The distinguished Workers' delegate from Pakistan has touched upon the current Indo-Pakistan situation. I express my deep sense of anguish at his having utilized this forum to air sensitive political matters. Representing a population of 1,000 million, including 400 million workers, India, which is more than eager for global peace, security and development, prefers to confine itself to a joint statement in the Workers' group meeting. I shall refrain from raising a political issue in this august assembly.

The designs of G7 countries have failed and G7 meetings face demonstrations. This marks the beginning of the last phase of capitalism in the world and the seeds of destruction lie in the capitalist system itself.

Communism has already failed. My cry, therefore, is to do away with present "trio" and capitalist order and to seek a third way.

I pray to God Almighty to show us the light and lead us to our goal, which is nothing less than the worship of the Almighty.

Mr. RAMPAK (*Workers' delegate, Malaysia*) — First of all, I would like to join other delegates gathered here, to congratulate the Director-General, Mr. Juan Somavia, for his new, dynamic and refreshing approach to the Conference reporting system by adopting a totally new format this year for his Report. The Report emphasizes the importance of four strategic objectives of the ILO's decent work concept to achieve sustainable development, which is wholly consistent with the ILO millennium vision of promoting decent work in its constituencies.

Globalization and the world of work. As the Director-General himself says in his Report to the 87th Session of the International Labour Conference: "Globalization has brought prosperity and inequalities, which are testing the limits of collective social responsibility." It became visible during the Asian economic

and financial crisis in 1997, despite the existence of clause 4 of the WTO Declaration on Core Labour Standards.

The Doha Declaration says very little, if anything about the social impact of globalization, particularly on workers' and trade union rights. Until such time the world community recognizes the need to effectively integrate globalization with a social dimension of human development, we believe that globalization can only bring about inequalities, not prosperity. This departs from the very spirit and purpose of the globalization process, which the WTO Declaration states is for "raising standards of living worldwide" through the "pursuit of the goal of sustainable growth and development for the common good". Do we therefore need a globalization that only brings more tears than smiles to us, to our loved ones, children, women, near and dear and the world community at large?

Good governance, transparency and accountability. The Director-General has stressed the importance of governance, support and management as effective tools of the ILO's strategic management process. The same reasoning certainly applies to governments as well as enterprises. We are witness to the rather dismal level of state and corporate governance, transparency and accountability in many, many countries. Poor capital productivity and corruption, coupled with weak enforcement system has resulted in the collapse of big corporations. Ironically some of them gave out fabulous bonuses and generous retirement benefits to their senior managers' the previous day, and closed down the following day with thousands of job losses and as many dashed hopes. They also introduced contracting and outsourcing systems under the guise of globalization. We actually see globalization weakening trade union rights, depriving workers of job security and frustrating tripartite consultations. Is this the kind of governance and accountability endorsed and promoted by globalization? To me, it is a new form of suppression of the poor and the vulnerable by the rich and powerful nations. Is globalization a new brand of twenty-first century colonization?

I have never before spoken on the Palestine, Israel issue. The people of Palestine have suffered enough due to protracted war in their homeland. We fully support the Director-General's proposal for Palestinian employment and social fund. We urge Israel to respect the United Nations Resolution on Palestine and withdraw its forces from Palestinian territories. The rights, livelihoods and safety of workers in Palestine have been put at great risk. Decent work knows no political frontiers or ideological preferences.

Job creation will have to go hand in hand with governance, transparency and accountability when implementing all state policy initiatives. The labour movement has always called for tripartite dialogue, not only to discuss labour matters but economic, social and development issues as well. In this regard, we appreciate and congratulate the Malaysian Government for ratifying the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and hope that the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), will be ratified soon. We also urge other ILO member States to ratify ILO Convention No. 144 to give full effect to social dialogue, because there can be no development without resource sharing.

Mr. SUNMONU (*representative of the Organisation of African Trade Union Unity*) — Our organization is proud to be fully associated with the work of the ILO. As the only African trade union organization that represents all trade union tendencies in our continent, the Organisation of African Trade Union Unity (OATUU) and its affiliates have contributed to the strengthening of tripartism, peace, democracy and socio-economic development in Africa.

It has also been involved in the defence of trade union and human rights in our continent. It has pioneered the development of entrepreneurship and small business development within African trade unions in order to demonstrate their determination to contribute to the creation of work in the form of decent well-paid jobs.

Since 1993, the OATUU's health, safety and environment project has been educating and mobilizing African workers and trade unions with a view to achieving safe and healthy workplaces, homes and environmental conditions, as well as continuing the fight against the HIV/AIDS pandemic.

Our workers' education programmes on international labour standards, globalization, popular participation, economic integration and development, gender integration and empowerment of women, have been very successful throughout Africa.

We express our appreciation to the regional office for funding the OATUU programme for sustaining women in leadership positions in the trade union.

Some of the activities I referred to above would not have been possible without the technical and financial support of certain sectors, departments and branches of the ILO. Please permit me to cite some examples.

The African Regional Office of the ILO and the Bureau for Workers' Activities (ACTRAV) have been most helpful in giving technical and financial support to African workers and trade unions. The employment sector assisted our organization technically and financially in the entrepreneurship project I mentioned earlier. We look forward in this biennium to expanding the project to national trade unions centres in ten more African countries.

The OATUU and its affiliates categorically maintain that wealth creation, through decent well-paid jobs is the best approach to the eradication of poverty. That is why we reject the attempt to reintroduce the disastrous orthodox structural adjustment programmes of the IMF and the World Bank through the new model of the so-called Poverty Reduction Strategy Papers (PRSPs).

As the Right Honourable Dr. Mahathir Mohamad, Prime Minister of Malaysia, told this Conference last week, the neo-liberal economic paradigm being forced on the weak economies of developing countries in the ongoing globalization process, is neo-colonization by another name, and we reject it. Countries should be free to determine their economic objectives and the way to achieve them.

The OATUU also acknowledges the support of the Social Protection Sector in its activities against HIV/AIDS at the workplace, and looks forward to further assistance from the sector in our health, safety and social security programmes.

The activities of our organization have not received assistance from the Standards Sector in the last biennium, in spite of programmes submitted for technical and financial assistance. It is my hope that the sector, which is very relevant to the day-to-day activities of

our organization and our affiliates, would consider our requests favourably in the current biennium.

It is also our hope that the good foundation laid by our organization with the Dialogue Sector in the last biennium will be consolidated during the current biennium.

The sector technically and financially supported two sub-regional workshops for West Africa and East Africa in the last biennium, which have helped to strengthen the capacities of our affiliates on tripartism and social dialogue in the countries of the two subregions.

Please permit me to convey the appreciation of my organization and the entire workers of Africa to the Bureau for Workers' Activities and the African Regional Office, for the technical and financial support given to the OATUU and ICFTU-Afro in organizing the African Trade Union Conference on the New Partnership for Africa's Development (NEPAD) in Dakar, Senegal, from 18 to 20 February 2002. The Conference has now made it possible for African trade union leaders to have an in-depth knowledge of NEPAD, and also to be fully involved in the process. This is a very good example of crucial ILO support for its social partners that empowers them in the socio-economic development of their countries and continents; more of this assistance to all ILO constituents will be needed from all the ILO sectors.

I would like to conclude my speech with a short comment on the Appendix to the Report of the Director-General on the situation of the Palestinian workers in the occupied Arab territories. Paragraphs 5, 6 and 10 of the Report encapsulate the situation of the Palestinian workers and people in the illegal occupation by Israel. In the opinion of African workers and trade unions, the way to peace in the Middle East lies in the stoppage of the illegal occupation by Israel of Palestine and all occupied Arab territories; the creation of a Palestinian State with East Jerusalem as its capital; the return of Palestinian refugees to their homes, and adequate compensation for those that cannot return; the recognition of Israel by Palestine and all Arab States; the signing of a peace agreement between Israel and Palestine, on the one hand, and between Israel and all Arab States, on the other, guaranteed by the United Nations.

Let me say, finally, that the Palestinian people are the only people that have the sovereign right to determine who their leaders should be; nobody else has that right.

Mr. LISTER (*Government adviser and substitute delegate, United Kingdom*) — It is both an honour and a pleasure for me to have this opportunity to address this distinguished gathering today. In doing so, I bring the warmest greetings on behalf of the Government and people of Bermuda, the jewel of the mid-Atlantic.

May I, at the outset, express profound gratitude to Miss Fiona Kilpatrick, Head of the United Kingdom's ILO team, for supporting my intervention at this occasion.

I congratulate the President on his election, and applaud the exemplary manner in which he has carried out his mandate during the past two weeks. I also congratulate the Director-General, not only for his outstanding and committed leadership of the ILO, but also for his Report, *ILO programme implementation 2000-01*. The Report offers a comprehensive

overview of the important work of the ILO, and confirms that it is a dynamic Organization that responds to the challenges of the ever-changing world of work without wavering from the notable and enduring principles upon which the ILO was built.

In his Report, the Director-General notes that during 2000-01 the International Programme on the Elimination of Child Labour (IPEC) continued to attract increased donor support, and has become the ILO's largest single technical cooperation programme. The Government of Bermuda applauds the ILO's progress in this critically important area.

You may be assured that we share the many concerns set out in the Director-General's Report, *ILO programme implementation 2000-01*, and his instructive and compelling Global Report, *A future without child labour*. The Government of Bermuda agrees unequivocally that the scourge of child labour must be eradicated from the face of the earth. The resources of the world must be dedicated to this absolutely essential battle; it is a battle that must be won, for our children are our future.

The Director-General's Report and the discussions throughout this session of the International Labour Conference have brought into sharp, and often painful, focus the magnitude of the challenge facing many nations of the world. At the same time, the Bermudians in attendance have been reminded of the many blessings that are ours in Bermuda, both in the labour arena and with respect to the quality of our life overall. Bermuda is fortunate to enjoy one of the highest standards of living in the world. Our relative prosperity is attributable to a number of factors: a first-class education system, political and social stability — including a generally positive working relationship between Government and the trade unions, the success of the twin pillars of our economy, international business and tourism, and an excellent infrastructure, among others. Phenomena like unemployment, illiteracy and child labour, which are realities that impact so significantly on many countries of the world, are virtually unknown in Bermuda. However, we can ill-afford to be complacent. We must work steadfastly to ensure that the principles of fairness, equity and social protection — and all others espoused by the ILO — obtained throughout the fabric of our community.

I cited a generally positive working relationship between the Government and the trade unions as a contributing factor to Bermuda's prosperity. In his eloquent and memorable address at this very podium on Thursday last, the Right Honourable Owen Arthur, the esteemed Prime Minister of Barbados, acknowledged the significant contributions made by trade unionists in Barbados and throughout the Caribbean region. In the Prime Minister's words: "The labour movement across the entire Caribbean was the crucial force in the vanguard of the struggle for self-governance." Historically, Bermuda too was plagued by the evils of social injustice and racism, and although we have not yet attained full self-governance, trade unionists have played a vital role in the growth and development of the Bermuda Progressive Labour Party, our current Government, and in fashioning the way of life we enjoy today. The entire community, therefore, owes them a tremendous debt of gratitude.

I am pleased to note that tripartism is very much the way of life in Bermuda's labour relations scene. The Labour Advisory Council, comprised of repre-

sentatives of the three social partners, advises the Minister on labour relations in Bermuda generally. Bermuda recently enacted its Employment Act 2000, which is watershed legislation that is among the most important ever passed by our Legislature. This historic legislation meets two principal objectives. On the one hand, it guarantees basic standards for all employees in the workplace. On the other hand, it ensures a level playing field so that employers using good business practices are not disadvantaged. The development of the Employment Act 2000 is an important example of the social partners that work in Bermuda, as input was sought and received from the tripartite family during the planning and drafting stages.

Just two weeks ago, Bermuda's Joint Labour Day Organizing Committee, whose membership again reflects trade unions, employer groups and Government, unveiled its theme for the celebration of Labour Day 2002 and I quote: "Our commitment, borne out of the labour movement, is to embrace the diversity of Bermuda's workforce. Transcending all barriers, we undertake to unite the entire community in the celebration of labour."

I close by submitting that this 90th Session of the International Labour Conference, is in every respect, a celebration of labour throughout the world. Well done, and I thank you for your indulgence.

Mr. WOJCIK (*Workers' delegate, Poland*) — On behalf of the Polish Workers' delegation, I would like to congratulate the President and all the Vice-Presidents on their election to their posts.

We are accustomed to being provided each year with a Report of the Director-General of excellent quality, and this year we have not been disappointed. I congratulate the Director-General on his Report.

We strongly support the efforts of the ILO to promote fundamental labour Conventions among the ILO membership and their social partners, and to encourage all the Members to observe all their provisions.

Just recently, Poland ratified the Worst Forms of Child Labour Convention, 1999 (No. 182). We have thus joined the family of countries that have ratified all the core Conventions. For Polish employees, it is a reason for great satisfaction.

Regrettably, the last year was not satisfactory on the whole for Polish workers. Some optimism may be derived from the transformation of the Tripartite Committee on Economic and Social Issues to a body based upon a parliamentary Act. This may not only strengthen its legal position but, above all, it may develop a more genuine social dialogue.

One should keep in mind that Poland, like other countries of Central and Eastern Europe, is confronted with three very serious challenges: economic globalization, accession to the European Union and the unfinished process of transformation of its social and economic system after the disastrous consequences of the communist rule.

However, having a look at the situation of Poland as a whole, one has to recognize a number of positive changes and trends. Numerous economic indicators show quite a hopeful picture. Nevertheless, as representatives of Polish employees, we cannot close our eyes to certain undesirable and wrong tendencies and to consequences such as the suffering of those who pay the highest price for these changes.

Beyond doubt, it is first and foremost the unemployed who are victims of these changes. The unemployment rate has increased alarmingly through the last several months, reaching some 18 per cent. The proposals of the present Government to combat this phenomenon are superficial, manifestly insufficient and provide no hope for the future.

As I mentioned earlier, the Tripartite Committee has been established (thanks to the enormous efforts of the Solidarnosc trade union) thus enhancing tripartism and social dialogue, which are among the top priorities of the ILO. In spite of this, the new Government submitted to Parliament a draft proposal of changes to the Labour Code, and did so without any tripartite consultation. Only strong and vigorous protests by trade unions, including street demonstrations, made the Government submit the draft bill to the Tripartite Committee.

Although about 50 per cent of public finances and nearly 30 per cent of Gross Domestic Product are devoted to social needs, it is of great concern to the trade unions that the Polish Government has no consensual vision and concept of a just social order. Consequently, economic decisions undertaken by the Government impose a burden mainly on the most vulnerable groups of society, and have deprived them of benefits they had been granted before.

However, this may be a simplified picture. The situation clearly shows how much can be done by the ILO, even in a country with such a long experience, as it was one of the founders of the ILO. Millions of Polish employees, and particularly those who have not been adequately represented in this house, most notably the unemployed, have expectations of ILO activities.

The ratification of ILO Conventions without their full observance in law and practice will fail not only to reduce the deficit of decent work, but the deficit of any work at all. We are concerned that the lack of labour protection has been euphemistically called the "informal economy". In our opinion, there are no opportunities for decent work in the informal economy.

Polish employees lend their support particularly to those activities of the ILO that inhibit the development of double standards on a global scale. Regrettably, there are governments which assume commitments covered by the ILO mandate, while simultaneously undertaking actions in other organizations, e.g. WTO, that ignore these commitments. What is more, such actions are profitable predominantly for the strongest groups of society.

A globalization of the world requires a globalization of solidarity. It requires solidarity not only among employees, but first of all solidarity with the unemployed, with those who suffer starvation, with those who live in poverty, and with children deprived of any opportunities for education. It requires practical solidarity. This is why we appeal for the establishment by the richer countries, Members of the ILO, of a special World Solidarity Fund, "Education against Unemployment", with funding of at least US\$10 billion a year.

I strongly believe that the ILO is the only Organization that is able to initiate the establishment of such a fund.

Original Spanish: Mr. GOMEZ (Workers' delegate, Colombia) — First, we take this opportunity to wish the President and the Officers of the Conference every success in their duties.

We have noted with interest, and approve, the Report of the Director-General; we also share his concerns with regard to the international situation and to achieving the strategic objectives of the Office.

We wish to state our support for the Director-General with regard to the seriousness of the situation of the workers and people of Palestine, a place where poverty, humiliation, unemployment, violation of human rights, economic crisis and social exclusion, threaten not only peace in the Middle East but peace. We express their solidarity with the Palestinian people in their fight for independence and development and, at the same time, condemn all terrorist actions against them.

For the workers of Colombia, the ILO provides an essential, international control mechanism for the national application of standards relating to international labour rights and a forum where complaints will be heard and which will contribute towards ensuring that violations of the freedoms and rights of workers and their organizations do not go unpunished.

In Colombia, much to our regret, barbaric acts against the trade union movement and trade union members continue. Between June 2001 and May 2002, 176 of our brothers and sisters were murdered — their only crime being that they belonged to a trade union. Unfortunately, these events have gone unpunished and so the killing continues.

Concurrently, we would like to express our concerns about the unacceptable way in which the trade union movement has been the victim of brutal repression and devastation, with trade union organizations being destroyed through massive dismissals, both in the public and in the private sector, and through the total disregard for the freedom of association, collective bargaining and the right to strike.

This situation is being made worse through the ending of direct employment of workers, encouragement of workers' cooperatives, temporary contracts and the introduction of collective agreements.

The development of a policy against the workers in TELECOM and its associates ETB, BAVARIA, AVIANCA, in the areas of health, teaching and the courts, in municipalities and departments in the Secretariat of Public Works in Bogotá and in other places in the country, the closing of businesses and bankruptcies whether fictitious or not, are key elements contributing to a climate of mistrust where workers no longer believe in the validity of the rule of law, which has become a virtual reality.

Perhaps the best proof of this lies in the long fight culminating in the adoption by Congress of the Labour Relations (Public Service) Convention, 1978 (No. 151). After this tortuous process of ratification, in 1997, through Law No. 411, the constitutional court ruled that public workers' trade unions do not have the right to bargain collectively, thus depriving these workers of legitimate claims and a way of processing them.

As an example, let me tell you that while I have been here, hundreds of workers have lost their jobs, as is the case of the public employees in the department of Meta, who were all dismissed without any possibility of arbitration. The department of Meta is one of the areas most affected by violence.

But for the presence of the Minister of Labour, Angelino Garzon, who was himself a trade unionist, the situation would be much worse. In the past 23 months, he has bravely fought the onslaughts

against the trade union movement, standing up on many occasions to his colleagues in government.

We are very concerned because in recent months a devilish campaign has been mounted to undermine the prestige of the trade union movement. Its leaders and members are pointed to as part of a privileged oligarchy, in an attempt to turn public opinion against them.

The situation is all the more serious when you realize that it is the Minister of Finance that is promoting this campaign. The workers of Colombia are extremely concerned about this situation of insecurity, violence and disregard of ILO Conventions and Recommendations. This is why in June 1998 we filed a request for a commission of inquiry for Colombia. Four years later the situation has deteriorated considerably, so we have now to conclude that the Governing Body must take a firm decision with regard to this request of our workers.

The disregard for trade union freedoms and human rights in any part of the world puts world peace at risk. Never has humankind enjoyed so much wealth, and so much poverty and inequality, at the same time. We call upon those who have the power to undertake cancellation of the huge social debt. If we wish to contribute to the development of peace and democracy, we must promote social justice.

Mr. ETTY (*Workers' delegate, Netherlands*) — I congratulate the President and the Vice-Presidents on their election to lead the work of this 90th Session of the International Labour Conference.

In the Report of the Director-General, we find very interesting information about the performance of the ILO and the member States with regard to the operational and strategic goals of the Organization. I will name a few aspects of this performance: the promotion and realization of standards and fundamental principles and rights at work; normative action; the promotion of gender considerations in employment policy; and the improvement of social protection through international labour standards. Most of the targets were met. Unfortunately, that is not the case for a subject which has been at the heart of the ILO since the very beginning of the Organization: maternity protection. One could say that maternity protection ought to be at the crossroads of all the strategic and operational objectives I have mentioned. And I am very sorry to say that is not yet the case.

Two years ago the International Labour Conference adopted the Maternity Protection Convention, 2000 (No. 183), and the Maternity Protection Recommendation, 2000 (No. 191). The workers considered this as a very positive step towards women's participation in paid work, and one which honoured their key role in society as the bearers and primary carers of children. This third maternity Convention was the outcome of the hard work of representatives of workers, employers and governments. It is a forward-looking Convention that contributes to the elimination of discrimination against women in the labour market, that maximizes the use of all human capital, women and men, and that takes account of cultural and other differences.

In the light of this year's general discussion about the informal economy, it is in our view of particular interest that the scope of the Convention is somewhat broader than several other standards. The Convention applies to all employed women, including those

in non-typical forms of dependent work. This means that homeworkers, part-time, temporary and casual workers are included. In fact, the Convention applies wherever there is an employment contract, express or implied, in written or in oral form.

Through ratification by the Slovakia and Italy, the Convention came into force on 2 February this year. In the meantime, Bulgaria has ratified it as well. That is it for the good news.

Article 19 of the ILO Constitution says that Conventions and Recommendations have to be submitted to the competent authorities for enactment of legislation or other appropriate action within one year after adoption by the International Labour Conference. In exceptional circumstances, governments may take some more time, but action must be taken "in no case later than 18 months from the closing of the session of the Conference". The dates for the instruments on maternity — [Convention No. 183](#) and [Recommendation No. 191](#) — were 15 June 2001 and 15 December 2001. In the General Report of the Committee of Experts on the Application of Conventions and Recommendations, dated 7 December 2001, one can find the names of the 61 countries which presented information to the Director-General on submissions that had taken place. This means, in fact, that roughly two-thirds of the Members did not comply with article 19 of the Constitution, including several Member States of the European Union.

My country was one of the 61. There were no known exceptional circumstances, yet it took our Government 16 months to inform the Dutch Parliament about the content of the Convention and the Recommendation. The Government did not inform the Parliament of any action proposed. Thanks to the insistent questions of Members of Parliament and lobbying by my organization, the Government announced in early December its willingness to ratify. Legislation was foreseen for this year. Consultation of the social partners has not started yet.

Let me finish by expressing the hope that ratification and implementation of the modern and flexible standards of maternity protection will be part and parcel of the strategic and operational objectives, and that next year the reports of the Director-General and the Chair of the Governing Body and the Committee of Experts will all reflect a major step forward in the field of maternity protection.

Original Spanish: Mr. CHACÓN DÍAZ (*Employers' delegate, Cuba*) — I should like to congratulate the President on his election at the 90th Session of the International Labour Conference. I am extremely happy to be able to address this session with the satisfaction that the Cuban Employers' group has carried out its duties with regard to maintaining and developing the achievements attained by the revolution of the employers, the workers and the entire population in the field of work and social issues, which greatly coincide with the objectives and principles of the ILO.

With an enormous effort, great will, and political courage, all the social partners in Cuba were able to maintain the right to employment, decent work, which means honest and dignified work with protection and dignity and guarantees, the equality of gender and race, the protection of children and the young, a constant improvement in the living and working conditions of our workers, and social security for workers and retirees. All these things have been

extremely difficult for more than 40 years now because of the commercial, economic and financial embargo which the Government of the United States has imposed on our country which is now worsening and becoming more aggressive with wild allegations and outrageous slander.

We welcome the objective manner in which the Director-General's Report, *A future without child labour* refers to the work carried out in Cuba for disabled children. However, I would like to shed light on paragraph 129 of this Report which could be interpreted as being disrespectful and tendentious and refers to the non-existence of child labour in my country, especially in view of the comments which precede it. We ratify before this session of the Conference that there is no child labour or exploitation of children in Cuba, not only because we firmly believe that this would be wrong, but also for humanitarian reasons. We are not the only ones to affirm this since this has been clearly seen by all those who have honoured us with their visit, including various members of staff from the ILO and the United Nations.

On the contrary, today in Cuba, we are multiplying and further developing specific programmes for the protection and development of children and the young, especially from the point of view of education, health and food. And we can prove this to the world.

We are gravely concerned by and continue to observe the continuation, and in some cases worsening of disputes which are directly linked to and form part of many other social problems in today's working environment, especially in poor countries. It is my belief that even if the ILO were to take more concrete action, develop more radical programmes and be more critical and demanding of those governments and countries which do the least to improve real working conditions, this would not be enough unless there was a real political will. This political will would also have to encompass social justice and solidarity, help close the gap between rich and poor countries, aim to eliminate unequal exchanges and tend towards the elimination of unemployment, hunger and misery. Other issues which must be dealt with are diseases, discrimination and all social injustices which exist throughout the world and threaten, as during the centuries of barbarism, to change the geographical map of the world.

There is only one solution and that is to leave aside demagoguery, hypocrisy, rhetoric and excessive bureaucracy, and to devote our energies, efforts and resources to working with real, concrete and effective programmes based on a political will to save mankind. The ILO could take up this challenge.

(The Conference adjourned at 1 p.m.)

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