



## Eighteenth sitting

Wednesday, 16 June 2004, 10.45 a.m.

President: Mr. Ray Guevara

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*Original Spanish:* The PRESIDENT

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### RATIFICATION OF THE INSTRUMENT OF AMENDMENT OF THE ILO CONSTITUTION BY NIGERIA.

Before we begin our work today, I would like to turn first to the Clerk of the Conference for an important announcement.

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*Original French:* The CLERK OF THE CONFERENCE

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I have the pleasure to announce to the Conference that, on 14 June 2004, the Director-General recorded the ratification by Nigeria of the Instrument of Amendment of the ILO Constitution, which was adopted by the Conference in 1997.

### REPORT OF THE COMMITTEE ON THE FISHING SECTOR: SUBMISSION, DISCUSSION AND APPROVAL

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*Original Spanish:* The PRESIDENT

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We shall now proceed to the examination of the report of the Committee on the Fishing Sector, which is published in *Provisional Record* No. 21. The Officers of the Committee were as follows: the Chairperson was Mr. Ribeiro Lopes, the Employer Vice-Chairperson was Ms. Karikari Anang, the Worker Vice-Chairperson was Mr. Mortensen and the Reporter was Mr. Boumbopoulos. I would now like to call upon Mr. Boumbopoulos to submit the report of the Committee on the Fishing Sector.

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Mr. BOUMBOPOULOS (*Government adviser, Greece; Reporter of the Committee on the Fishing Sector*)

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I would like, first of, all to express my sincere thanks to the members of the Committee on the Fishing Sector who entrusted me with the duty to introduce the report of our work and provided me with the privilege of addressing accordingly the International Labour Conference. I am deeply honoured and consider that the Committee's decision reflects the recognition of the maritime tradition of my country, Greece.

Taking into account the Report of the Director-General, *A fair globalization: The role of the ILO*, it should be pointed out that the fishing sector is, among others, one of the roots of the maritime industry. The maritime industry is the pioneer and one of the horses to the chariot of globalization from the perspective of development, employment and social cohesion.

Let me say a few words about the background to our work. In March 2002, the 283rd Session of the Governing Body decided to place on the agenda of

this session of the Conference an item concerning a comprehensive standard, a Convention supplemented by a Recommendation, on work in the fishing sector.

The new standard, it was agreed, would revise the seven existing ILO instruments on the subject – five Conventions concerning minimum age, medical examination, articles of agreement, accommodation and competency certificates, and two Recommendations concerning vocational training and hours of work. The rationale of this revision would be to reflect the changes in the sector which have occurred over the last 40 years; to achieve more widespread ratification; to reach, where possible, a greater portion of the world's fishers, particularly those working on smaller vessels; and to address other critical issues, such as safety and health. It was agreed that the standard would take into account differences in fishing operations, employment arrangements, methods of remuneration and other aspects.

The work would complement the parallel work being done by the ILO to consolidate its standards for seafarers into a comprehensive new standard. It would also contribute to enhancing and strengthening ILO standards in general to achieve decent work outcomes.

The Committee on the Fishing Sector set up by the Conference had before it two reports prepared by the Office, as well as proposed Conclusions with a view to a Convention and a Recommendation.

The Committee held 20 sittings. It received 210 amendments and many more sub-amendments and sub-sub-amendments. There were quite a few indicative votes. These proved to be an efficient means of finding the feeling of the Committee and moving things along without having to have a formal vote. However, the Committee had two record votes during its 19th sitting. During these sittings, we were able to discuss most, but not all, of the points in the proposed Conclusions with a view to a Convention and a Recommendation.

The Committee adopted provisions on a number of substantive issues.

Firstly, it adopted provisions that would provide broad coverage for all fishers. The existing seven standards for fishing only address a small portion of the world's fishers. The Conclusions adopted by the Committee aim to reach the majority of the world's fishers, including those on small fishing vessels. By doing this, the standard will provide protection to a much greater number of fishers, including the self-

employed, such as those paid on a basis of a share of the catch.

Secondly, it provides sufficient flexibility to ensure wide ratification and implementation. Such flexibility is particularly important bearing in mind the complex nature of the fishing sector. The Committee sought to achieve such flexibility without any dilution to the protection provided to fishers working on vessels of different sizes and in various fishing operations.

As the Secretary-General of the Conference said when he addressed our Committee: "It is clearly important that no fisher slips inadvertently through the protective net of the Convention [...] For this to be achieved, the mesh of this net must be just right: not too large that everything is exempt, but not so small that it would stifle ratification and implementation."

This has been done by providing that the competent authority might exclude certain categories of fishers and fishing vessels from the requirements of the Convention, or certain provisions thereof, where the application is considered to be impracticable. However, such exclusions could occur only after consultation with the representative organizations of employers and workers concerned, in particular the representative organizations of fishing vessel owners and fishers. What this effectively does is enhance tripartism in the adoption and implementation of national laws and regulations in the fishing sector.

Thirdly, the instrument will include provisions that will address safety and health in the fishing sector and thus will help to reduce the rate of injuries and fatalities in this sector. This was an important agreement, as the existing ILO standards for fishers did not adequately cover the issue of occupational safety and health. These new provisions would address this issue in a manner that takes into account the specific nature of fishing operations. Equally important, the Committee proposes that the instrument include provisions that would ensure that fishers have protection for work-related sickness, injury or death if such unfortunate events were to occur.

Finally, it is proposed that the instrument include novel provisions on compliance and enforcement. These will not only strengthen the role of the flag State, since they would also promote intervention by port States in relation to conditions on fishing vessels visiting their ports when the conditions on board these vessels are clearly hazardous to the safety and health of the fishers.

This said, much work remains to be done at the next session of the Conference and, of course, all the work done so far continues to be subject to the will of that session of the Conference.

As concerns the work that remains, our Committee decided to refer the provisions concerning accommodation on board fishing vessels to an appropriate mechanism to be put in place between now and the next session of the Conference. This procedure would enable the Committee, when meeting in June 2005, to have before it, as the basis for its discussions, a set of proposals that would seek to achieve the appropriate balance between the mandatory and non-mandatory provisions on accommodation and food.

Owing to limits on the time available, we also were not able to complete our discussion of the issue of fishers' work agreements. Though we made substantial progress on this issue, we did not have

time to discuss the annex concerning the specific contents of such agreements. We will return to this issue next year.

We also had only limited discussions on the issue of social security. The Committee thought it would be useful to benefit from the discussion of the issue of social security for seafarers at the Preparatory Technical Maritime Conference to be held in September.

It was agreed that a new Part VII concerning additional requirements for vessels of, a yet unspecified, metres in length or more should be developed by the Office with a view to being examined by the next session of the Conference.

When discussing these proposed Conclusions, our Committee had to deal with a technical, complex and sensitive issue. I strongly believe that during the past two weeks the Committee produced a very good basis and, for some parts, a solid basis for further discussions next year.

The Committee's achievements will set us well on the path for the second, and crucial, discussion this time next year. The spirit of tripartism, the high level of expertise and the commitment to work in our Committee are the guarantees for the achievement of our goal. Our goal is the development and adoption of realistic, modern, cohesive and comprehensive new international standards concerning work in the fishing sector; standards that will benefit all fishers.

The report of our Committee's discussions will be particularly important as we prepare for next year. It is the road map that shows us what we did, how we did it, and why we did it. We will also be taking home the amendments that we did not discuss. Even though they will not appear in the new document, they will guide our deliberations over the coming year.

The report is an excellent reflection of the Committee's work at this session of the Conference. For this, particular thanks for our achievement are due to the Office. We could not have the result we have without a great deal of help and support from the Office. Ms. Cleopatra Doumbia-Henry and all her staff worked tirelessly on our behalf. I would like to thank the Legal Adviser, Mr. Loïc Picard, as well as Ms. Antoinette Juvet-Mir, Mr. Brandt Wagner and Mr. Dani Appave.

I especially want to thank Ms. Ann Herbert and Mr. Norman Jennings, who have skilfully and speedily produced our report. I also wish to thank the interpreters and translators, who facilitated our work and made communication possible. There were of course many other members of the secretariat working hard behind the scenes; I will not name them but they must know of our deep appreciation. They worked tirelessly on our behalf, often late into the night, long after we had gone home.

I request that the International Labour Conference adopt the report of the Committee on the Fishing Sector, the proposed Conclusions with a view to a Convention and Recommendation, and the resolution to place on the agenda of the next session of the Conference an item entitled "Work in the fishing sector".

I am looking forward to seeing you again next year at the Conference and, prior to that, I expect to meet you in Athens for the Olympic Games.

On behalf of the Employers' group, I have the honour to comment on the Conclusions of the first discussion on the conditions of work in the fishing sector. Before I do so, however, may I extend, on behalf of the Employers' group, our thanks to Mr. Ribeiro Lopes, the Chairperson of our Committee and Minister of Labour and Social Security of Portugal, and also to Mr. Mortensen, the Workers' spokesperson, to the Government members and to Ms. Doumbia-Henry and her efficient staff for all their work.

At its 92nd Session, the International Labour Conference set out to discuss an instrument concerning the conditions of work in the fishing sector, bearing in mind the hazardous nature of many fishing operations in both developing and developed countries and also bearing in mind the fact that there are five existing Conventions, all of which have a very low level of ratification, and two Recommendations. These instruments were adopted as long ago as 1920, 1959 and 1966 and cover medical examinations, fishermen's article of agreement, competency certificates, accommodation and minimum age, which received a maximum of 29 ratifications.

They all therefore require updating, in order to reflect the changes that have occurred in the sector over the last 40 years; to achieve more widespread ratification and to improve the working conditions of a greater percentage of the world's fishers, particularly for those who work on smaller boats.

When considering the revision of these existing standards and the possibility of introducing a new instrument that would cover new issues and that would be applicable to all workers in tandem with the ILO Declaration on Fundamental Principles and Rights at Work, we should take cognizance of the primary goal of the ILO, namely that of promoting opportunities for women and men to obtain decent and productive work in conditions of freedom.

In the Employers' group, we are focusing on the issue of maintaining jobs in order for women and men to obtain decent and productive work. While taking care not to jeopardize the attainment of this goal, we must save enterprises. This all too often becomes a secondary matter in our effort to come up with labour standards. But we must not lose sight of the fact that it is the enterprises that produce these jobs.

The Conference has been given a golden opportunity to come up with a comprehensive and ratifiable instrument that takes into consideration the fact that the fishers on smaller boats who represent over 90 per cent of the world's fishers do not benefit from any protection at all. It is these fishers whose jobs we may want to save. In addition, there are the fishers on larger vessels who have attained some protection and whose protection we would not want to erode. One of our most critical goals therefore is the achievement of the widest ratification possible. Or do we want to see another 40 years go by with a very low level of ratification, as was the case with the previous five Conventions? It is in nobody's interest to come meetings and develop standards that are so prescriptive that they are left on the shelves because they are not just practicable to implement.

Against this background, the new standards to be developed should – as all Committee members agreed at the beginning of our work – be sufficiently broad and flexible to address a number of issues and to be effective for the majority of the world's fishers. They should also be based on principles that take into consideration the diverse economic and social conditions of each country and the differences in fishing fleets.

The statistics on those employed in the fishing sector giving the distribution of fishers as a percentage of the world's total are as follows: 82.7 per cent in Asia; 9.28 per cent in Africa; 2.75 per cent in South America; with Europe, North America and the Russian Federation making up the rest.

Over 90 per cent of fishers live in the developing countries and that is even more reason why, in order to save the jobs of the majority of the world's fishers, we do indeed need to strike a balance by giving minimum protection to such fishers, while not eroding the protection attained by the other 10 per cent. The Conference has the tough job of striking a balance between these two worlds without coming up with an overly prescriptive instrument, which would require over 90 per cent of member States to apply for exclusions if they wish to ratify the Convention.

We would like to thank the Government members and the Workers' group for their contributions. While the Conclusions we have reached at the end of our first discussions are quite broad, we believe we are missing the golden opportunity I have just referred to. There are several critical issues, in particular the categorization of fishing vessels, the formulation of some additional requirements to be applied to some of them and the establishment of exclusions covering those member States which cannot apply such additional requirements. Are we developing two Conventions one for the developing countries or the smaller boats operating in the informal fishing economy, in either the developed or the developing countries, which make up the workplace of the majority of fishers; and one for the large vessels in the formal sector of developed countries?

Is it not the goal of the ILO to gradually draw the informal sector into the formal sector and therefore to gradually and progressively apply ILO standards to it?

We are aware of the central issue of the current discussions on consolidated international maritime labour standards for seafarers. Existing maritime labour standards are primarily designed for seafarers on seagoing ships. This Conference should, however, take cognizance of the fact that fishing is fishing and merchant shipping is merchant shipping, and the two should not be confused. Moreover, the fishers of the world have not been consulted in the current discussion of consolidated maritime labour standards and culturally fishers will not want to be put in the same boat as seafarers.

The President must guide us in our preparations for next year's second round of discussions. I wish to state that there are other pertinent issues, such as accommodation and food on board fishing vessels, and the matter of social security, some of which have been left for examination or consideration by the Conference at its second round of discussions next year. These are critical issues, affecting the living conditions of fishers and we believe the ILO should find the necessary resources to convene a tripartite meeting of experts to enable the Commit-

tee to fulfil its mandate of producing a comprehensive standard that is sufficiently broad, flexible and not overly prescriptive, one which will take into account the diversity of the economic and social conditions of countries and differences in fishing fleets within the framework of one, widely ratified Convention.

We therefore invite the Government members and the Workers' group to reconsider the position they have adopted on many of these areas, which are of critical concern to us, so that in 2005 we will finally grasp the golden opportunity and come up with the broad, flexible and ratifiable Convention so dearly needed by the fishers of the world.

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Mr. MASEMOLA (*Workers' adviser, South Africa*)

You know, when I was "instructed to volunteer" – and I hope that this is not a contradiction in terms – I felt very humbled and, therefore, I am honoured and pleased to give the Workers' group's comments on the report and Conclusions of the Committee on the Fishing Sector.

We want to start by thanking all the participants and everybody from the Office, the secretariat of the ILO, for the roles that they played, as well as the spokespersons from various Governments, the Employer spokesperson and, more importantly, the Chairperson of the Committee.

As the Office documents have pointed out, there are 35 million fishers, mostly on small-scale vessels, which lie outside the current ILO fisheries Conventions, and it is essential that they be given protection. The fisheries sector is very diverse, both in terms of the type of vessels, the nature of the fishing operations fishers are engaged in, and the manner and status of their employment or engagement arrangements. Fishing vessels range from very small vessels operating in territorial waters, to large factory vessels operating on the high seas and from foreign ports. This means that some of the larger vessels operate on a global scale, and there is a link to the globalization initiatives of the Organization. It should also be noted that the growth in the international trade in fisheries products means that the ILO's globalization initiative also has implications for the smaller-scale end of the sector. Many fishers are also remunerated through the share system and may not, under some or most of the national laws and practice, be considered employees.

The Workers' group sought the adoption of a balanced Convention that reflected the realities of the industry and was complementary to other international instruments covering the sector. This means that the "one-size-fits-all" approach may not work. We have sought a balanced approach which would be global in scope and reach and provide the flexibility necessary for, and the progressive extension of standards to, the smaller scale sector, as well as ensuring that the protection afforded to the larger vessels by current ILO instruments is retained and not eroded. This will also include covering "share fishers" – in other words the fishers remunerated by a share of the catch. We were also mindful that a number of existing ILO Conventions that cover seafarers contain explicit clauses that provide for their extension to the fisheries sector. These maritime Conventions contain important protections which are currently enjoyed by many fishers. Therefore, there is also a need to ensure that the adoption of the consolidated maritime Convention does not inadvertently result in the worsening of these fishers'

conditions of work. The Workers' group also considers that for fishers, the adoption of a consolidated Convention provided an opportunity to bring the standards up to date, and to reflect both developments in the fisheries sector and the dynamic changes, such as technological advances.

The fishing sector has been formally designated as a hazardous industry by the ILO, and the occupational safety and health provisions will need to reflect this. There is also considerable evidence that there is a substantial decent work deficit in the sector, on both small-scale and larger vessels.

The issue of illegal, unreported and unregulated fishing has received a great deal of attention, and many measures have been developed by United Nations' bodies to counter it. The adoption by the ILO of the port State control provisions for the fishing sector may complement the work of other international organizations by providing another tool to counter this illegal unreported and unregulated fishing. It is worth noting that, during the proceedings in a fishing case before the International Tribunal for the Law of the Sea, an agent representing the Government of France mentioned "the deplorable conditions of the crew members on board the ships that had been arrested, with crew members often ill, badly nourished and living in unhygienic conditions close to slavery". That was the submission by an agent representing the Government of France before those proceedings.

There have been many other cases, reported and unreported, worldwide. In fact, during the Committee's first session it was reported that two fishers died on duty, and that gave a sense of urgency to all participants to make sure that they approach these proceedings with a sober mind. Therefore, the Workers' group believes that we have established a firm foundation for the second reading which will reflect the realities of the industry and provide the necessary balance between flexibility and the retention of current standards.

There is a considerable amount of work required to achieve the high expectations which have been placed upon us, and, as a result, a number of key issues have been held over and will be dealt with in the next reading.

Social security protection is fundamental to the ILO mandate and is rightly reflected in the Declaration of Philadelphia. However, Article 77 of the ILO flagship social security instrument, the Social Security (Minimum Standards) Convention, 1952 (No. 102), expressly excludes "sea fishermen", and this needs to be addressed through the fisheries Convention.

Consideration of the provisions addressing accommodation has been deferred. They are very technical in nature and it has been agreed that a mechanism will be developed by the Office to ensure that some progress will be made prior to the next session of the Conference. The adoption of modern accommodation standards is fundamental to securing decent work for those fishers who spend a considerable amount of time at sea.

The report reflects the outcome of a difficult meeting of heated but frank debate of the proceedings of the Committee, and we hope that the Conclusions agreed can be further developed at the next session, so that we will meet the high expectations the international community attaches to this work. The Workers' group would like to see the resulting Convention being widely ratified for it to make a

real difference to many fishers in their workplaces and in their daily work across the world.

In other words, we want to achieve meaningful improvements in the working and living conditions of these 35 million fishers on board vessels all over the planet.

With this in mind, the Workers' group will recommend the adoption of the report, its Conclusions and the attached resolutions. We look forward to participating in the next session and hope that the spirit of tripartism that was also present in the Committee proceedings will prevail and that we will have a very successful outcome next session.

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*Original Portuguese: Mr. RIBEIRO LOPES (Government delegate, Portugal; Chairperson of the Committee on the Fishing Sector)*

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In addressing this sitting of the Conference, first and foremost, I would like to stress that, for my country and for myself, it has been a great privilege to hold the office of Chairman of the Committee on the Fishing Sector.

When, in March 2002, the Governing Body of the ILO decided to place work in the fishing sector on the agenda of the 92nd Session of the Conference, it was indeed recognizing the tremendous economic and social importance of fisheries in many countries throughout the world.

The fishing sector provides employment and a livelihood for a large percentage of the world's population and has a very diverse structure where you have, side by side, large national multinational enterprises with highly sophisticated ships and micro-enterprises of self-employed fishers who practice fishing in small traditional craft.

We know that the living and working conditions of fishers are also very diverse. Many fishers spend long periods at sea and, as far as they are concerned, accommodation and meals on board are real issues. At times, fishers are abandoned in foreign ports because the owner of the vessel has become bankrupt or simply absconded. On other occasions, fishers are detained by the authorities of foreign countries because they have been involved in unlawful fishing, for which the fishers themselves are not at all responsible. Sometimes, fishers are the victims of illegal recruiting methods and they are forced to sign contracts with conditions worse than those they were promised before they embarked. Fishing is an activity which gives rise to a large number of accidents. This is due to the risks involved in seafaring, in the use of fishing gear, and to the fatigue brought about by long working hours. Furthermore, traditional inspection methods have problems in inspecting and achieving compliance as regards working conditions and in particular as regards the security and health of fishers.

These and other aspects mean that it is both important and difficult to regulate work in the fishing sector.

Currently, there are seven standard-setting instruments of the ILO which are applicable specifically to the fishing sector. The mandate of our Committee is to prepare comprehensive standards, namely a Convention supplemented by a Recommendation, which will involve reviewing all the currently existing instruments and also considering other matters that are not catered for therein, in particular recruitment and repatriation of fishers, medical care on board, occupational safety and health and social security.

The Committee has considered these activities and the relevant instruments of other UN bodies, in particular those of the International Maritime Organization (IMO) and the Food and Agriculture Organization (FAO), so as to avoid contradictions or duplication between the standards of the various institutions.

The IMO has various standard-setting instruments which apply to the fisheries, in particular ones for safeguarding human life at sea, insuring of fishing vessels and training fishers, while the FAO adopted a code of Conduct for Responsible Fisheries which calls for all activities in the fishing sector to be carried out in safe, healthy and equitable conditions.

Apart from the Employers' and Workers' groups, 88 Government members took part in the Committee's work. Many of them are organized into regional groupings. The Committee Reporter, Mr. Boumbopoulos, Government member for Greece, submitted a very comprehensive report on the discussions held in the Committee and on the Committee's Conclusions. Furthermore, the Employer Vice-Chairperson, Mrs. Karikari Anang and the Worker Vice-Chairperson, Mr. Sand Morteuseu commented on the work of the Committee from the standpoint of the respective groups. These presentations provide an excellent introduction to the Committee's reports.

The draft Conclusions and the draft resolution, which aim to place the issue of work in the fishing sector on the agenda of the next session of the Conference and which we hope will be approved, will allow us to continue next year the work undertaken with a view to drawing up a new Convention supplemented by a Recommendation on work in the fishing sector.

We are all aware of the fact that the 2005 session of the Conference will have to debate and resolve very complex and controversial matters, in particular, the supplementary provisions relating to longer fishing vessels and accommodation on board. I have every confidence that it will continue to benefit from a spirit of constructive negotiation between the Employers' and Workers' groups and the Government delegates, and that will be possible to adopt a new Convention which will be both adequate and flexible enough to regulate the work of fishers on all vessels involved in commercial operations, and will open to ratification by many Members.

In conclusion, I would like to thank everyone who helped us get through our work in the Committee on the Fishing Sector, including the Employer and Worker Vice-Chairpersons who cooperated with me and gave me timely advice which assisted me greatly in directing the work of the Committee. The Reporter and the Drafting Committee worked in an outstanding fashion in preparing the report and the Conclusions; the Legal Adviser, Mr. Picard, helped the Committee in sorting out the tricky and complex legal problems involved in drafting some of the Conclusions. The Officers and all the secretariat were unstinting in providing information and advice to the Committee, and to me personally, and this assisted us greatly in our work. They also helped us in the preparation and translation of documents, which were always available on time and were of a high quality. Through Mrs. Doumbia-Henry, Head of the Sectoral Activities Department, I would like to thank everyone for their work.

Finally, I would like to thank the members of the Committee, Employer, Worker and Government

members, for their efforts, their keenness, their spirit of cooperation and the competence they displayed.

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*Original Spanish:* The PRESIDENT

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The general discussion on the report of the Committee of the Fishing Sector is now open.

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Mr. PENDER (*Government adviser and substitute delegate, Ireland; speaking on behalf of the European Union*)

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Ireland, on behalf of the European Union, would like to thank the Committee for its efforts in advancing the revision of the seven ILO instruments concerning conditions of work in the fishing sector.

In particular, we would like to thank the Chairperson, Mr. Ribeiro Lopes, and the Vice-Chairpersons representing the social partners, namely, Mr. Peter Mortensen representing the Workers and Ms. Rose Karikari Anang representing the Employers, for their work during the two-week sitting of the Committee.

We would also like to thank Ms. Cleopatra Doumbia-Henry and the rest of the ILO personnel who attended and advised the Committee during our deliberations. We also compliment the interpreters for their patience and stamina over the period.

In addition, we would like to thank all of our European Union colleagues, and all our colleagues from attending member States across the world.

We made significant progress during our two-week sitting and agreement was reached on substantial sections of the text. Some issues, such as those included in the proposed Annex II, regarding Accommodation on Fishing Vessels, will not be discussed in detail until next year's session of the Conference.

We note that there was division between the social partners in respect of further consideration of the application of standards to fishing vessels of over a certain size.

We note that the comprehensive standard will be further deliberated at next year's Conference and we hope that a successful conclusion will improve the living and working conditions of fishers worldwide.

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Mr. POTTER (*Employers' delegate, United States*)

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I am presenting these comments today on behalf of Ms. Tammy French, Vice-President of the American Seafoods Company, who was the United States Employers' adviser on the fishing discussion and who unfortunately was not able to be here because of work and family responsibilities. These are her words.

As I look back on our tripartite discussions and negotiations for standard setting in the fishing sector I have to wonder: Were we all in the same boat?

The Employers' group approached its work with a view to the following general principles.

First, to develop minimum labour standards for the protection of the greatest number of fishers worldwide, taking into account the social and economic realities of fishers in developed and developing countries.

Second, to develop an instrument with the flexibility to motivate widespread ratification and to address, in particular, the vast majority of fishers working on smaller vessels who are at present afforded little, if any, protection with regard to safety and health owing, among other things, to lack of political or economic power or government resources.

Third, to ensure against erosion of such existing higher standards as may be provided under national laws and practice for fishers employed in larger operations and/or in developed countries.

The clear majority of Government representatives voiced agreement with the Employers' approach to the development of the Convention and spoke out against the Worker members, early initiative to, first, introduce the concept of a multi-tiered Convention with separate requirements for fishers working aboard vessels of various lengths; and, second, to link the fishing Convention to an instrument as yet in the development stage geared toward working conditions of seafarers.

With the paradigm agreed upon, Employers worked towards amending the Office text to remove overly prescriptive requirements which likely caused low ratification of earlier fishing Conventions for the last 40 years.

The goal of establishing "minimum standards" seemed to get misplaced at times, as the in the case of requirement for medical certifications. While it is a laudable idea for the protection of fishers and a strategic risk management strategy for employers, it would seem impractical in light of the costs of such examinations and the lack of medical services in many underserved areas of the world.

The inherent risks and hazards of work in the fishing industry cannot be denied and it can seem an indefensible position to argue against medical certifications, work agreements in the languages understandable to all fishers on board, mandatory hours of rest, and so forth. However, the opportunity to dramatically improve conditions for the majority of the world's fishers would be lost if our work towards creating a widely adoptable Convention becomes mired in rigid, dogmatic ideals that forestall implementation and ratification.

The final tripartite meeting of our session concluded with the Worker members' reintroduction of vessel classifications by length. To our surprise, Governments unanimously allowed the amendment to carry into the 2005 session in contradiction to their earlier stated position.

For the next session, I would urge the tripartite participants to take a position early in the Conference with respect to the basic scope of the Convention.

These fundamental principles from the basis of decisions and negotiations that guide our work towards a common purpose.

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*Original Spanish:* The PRESIDENT

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As there are no further speakers, I propose that we proceed with the approval of the report of the Committee, which is contained in paragraphs 1-789. If there are no objections, may I take it that the report is approved?

*(The report – paragraphs 1-789 – is approved.)*

We shall now proceed with the adoption of the proposed Conclusions concerning the fishing sector.

*(The Conclusions – paragraphs 1-83 – are adopted.)*

If there are no objections, may I take it that the Conclusions concerning the fishing sector are adopted.

*(The Conclusions are adopted.)*

We shall now proceed to the adoption of the report as a whole. As there are no objections, I take it that the report, as a whole, is adopted.

*(The report, as a whole, is adopted.)*

**RESOLUTION TO PLACE ON THE AGENDA OF THE NEXT ORDINARY SESSION OF THE CONFERENCE AN ITEM ENTITLED "WORK IN THE FISHING SECTOR": ADOPTION**

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*Original Spanish:* The PRESIDENT

We shall now proceed with the adoption of the resolution to place on the agenda of the next ordinary session of the Conference an item entitled "Work in the fishing sector". If there are no objections, may I take it that the resolution is adopted?

*(The resolution is adopted.)*

We have now concluded the consideration of the report of the Committee on the Fishing Sector. I would like to warmly thank the Committee, Officers and members, as well as the secretariat and staff, for their excellent work.

**RECORD VOTE ON THE RESOLUTION CONCERNING THE ARREARS OF CONTRIBUTIONS OF IRAQ**

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*Original Spanish:* The PRESIDENT

We shall now conduct the record vote on the resolutions concerning the arrears of contributions of Iraq, which is contained in *Provisional Record* No. 17.

With respect to the substance of the vote, may I remind you that, in accordance with article 13, paragraph 4, of the ILO Constitution, the Conference may, by a two-thirds majority of the votes cast by the delegates present, permit such a Member, who is in arrears in the payment of its contributions, to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member. Article 19, paragraph 5, of the Standing Orders of the International Labour Conference requires a record vote to be taken in this case.

*(A record vote is taken.)*

*(The detailed results of the vote will be found at the end of this sitting.)*

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*Original Spanish:* The PRESIDENT

The result of the vote is as follows: 421 votes in favour, 12 against, with 12 abstentions. As the quorum was 286, and the required two-thirds majority of 297 has been reached, the resolution concerning the arrears of contributions of Iraq is adopted.

rum was 286, and the required two-thirds majority of 297 has been reached, the resolution concerning the arrears of contributions of Iraq is adopted.

*(The resolution is adopted.)*

**RECORD VOTE ON THE RESOLUTION CONCERNING THE ARREARS OF CONTRIBUTION OF PARAGUAY**

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*Original Spanish:* The PRESIDENT

We shall now conduct the record vote on the resolution of Paraguay, which is contained in *Provisional Record* No 17.

*(A record vote is taken.)*

*(The detailed results of the vote will be found at the end of the record of this sitting.)*

The result of the vote is as follows: 419 votes in favour, 11 against, with 15 abstentions. As the quorum was 286, and the required two-thirds majority of 297 has been reached, the resolution concerning the arrears of contributions of Paraguay is adopted.

*(The resolution is adopted.)*

**FINAL RECORD VOTE ON THE WITHDRAWAL OF 16 RECOMMENDATIONS**

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*Original Spanish:* The PRESIDENT

We shall now conduct the record vote on the withdrawal of 16 Recommendations, which is contained in *Provisional Record* No. 4-2A and involves Recommendations Nos. 2, 12, 16, 18, 21, 26, 32, 33, 34, 36, 43, 46, 58, 70, 74 and 96. There will be a single vote, after which delegates will be entitled to make any explanations they wish on their vote.

*(A record vote is taken.)*

*(The detailed results of the vote will be found at the end of the record of this sitting.)*

The result of the vote is as follows: 437 votes in favour, one against, with no abstentions. As the quorum was 290, and the required two-thirds majority of 292 has been reached, the withdrawal of 16 Recommendations is adopted.

*(The withdrawal of 16 Recommendations is adopted.)*

*(The Conference adjourned at 12.45 p.m.)*

## Nineteenth sitting

Wednesday, 16 June 2004, 3 p.m.

*President: Mr. Ray Guevara*

### REPORT OF THE COMMITTEE ON HUMAN RESOURCES: SUBMISSION, DISCUSSION AND APPROVAL

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*Original Spanish: The PRESIDENT*

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We shall now proceed to the examination of the report of the Committee on Human Resources, which is published in *Provisional Record* No. 20.

The Officers of the Committee were as follows: the Chairperson was Mr. Chetwin, the Employer Vice-Chairperson was Mr. Renique, the Worker Vice-Chairperson was Ms. Yacob and the Reporter was Ms. Murty. I would now like to call upon Ms. Murty to submit the report of the Committee on Human Resources.

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Ms. MURTY (*Government adviser, India; Reporter of the Committee on Human Resources*)

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I am very pleased to be able to present to you today the revised Recommendation concerning human resources development: education, training and lifelong learning and the Report of the second discussion of the Committee on Human Resources which finalized this important ILO instrument. The work of the Committee was steered by its most competent and able Chairperson, Mr Chetwin, Government member of New Zealand. His leadership, grasp of the subject matter and pleasant manner, tinted with a great sense of humour, were instrumental in helping the Committee to complete its tasks in a spirit of respect and dialogue between the social partners.

Equally valuable to the final outcome of the work of the Committee were the efforts to find common ground by the Employer Vice-Chairperson, Mr. Renique of the Netherlands, and the Worker Vice-Chairperson, Ms. Yacob of Singapore.

I would also like to thank our Committee's secretariat, which worked very efficiently under the guidance of Mr. Henriques, the representative of the Secretary-General, for their dedication, commitment and assistance. The advice of the Legal Adviser was indispensable for completing the Committee's work, particularly for overseeing the final drafting of the instrument.

The Committee held 15 sittings. Its report, including the revised Recommendation concerning human resources development: education, training and lifelong learning, was distributed to the plenary sitting this morning.

Economies, society and the world of work have been transformed beyond recognition since 1975 when the International Labour Conference adopted

the Human Resources Development Convention, 1975 (No. 142) and its accompanying Human Resources Development Recommendation, 1975 (No. 150). In view of these changes, in 2001 the Governing Body decided to include on the agenda of the 91st Session of the International Labour Conference, that is last year, a first discussion of an item on human resources development and training, with a view to adopting a revised, more dynamic standard in 2004 that would assist member States and the social partners to formulate and implement human resources development and training policies to promote sustainable economic and employment growth and decent work for all.

The Recommendation concerning human resources development: education, training and lifelong learning, 2004, is a broad and comprehensive ILO labour standard. It reflects the social partners' efforts to develop an instrument that is balanced and responsive to present and emerging challenges and that places people at the centre of economic and social development.

The Preamble sets forth the core principles contained in the instrument, namely:

- that education, training and lifelong learning contribute significantly to promoting the interests of people, enterprises, the economy and society as a whole;
- that lifelong learning also contributes to personal development, access to culture and active citizenship;
- that the social partners have roles to play and commitments to fulfil in support of lifelong learning;
- that many developing countries should receive assistance to design, fund and implement education and training policies for economic and employment growth;
- and that the realization of decent work for workers everywhere is a primary objective of the International Labour Organization.

The ILO's values are reflected in these principles. Hence, the Preamble refers to the ILO Declaration on Fundamental Principles and Rights at Work and to essential Conventions and Recommendations concerning human resources development and training.

The instrument defines, for the first time in an ILO instrument, the key concepts of employability and lifelong learning.

The instrument calls on member States to set out ambitious guidelines, based on social dialogue, for the development and implementation of education, training and lifelong learning policies which promote lifelong employability. It emphasizes that education, training and lifelong learning policies must be an integral part of comprehensive economic, social and labour market policies and programmes for economic and employment growth. It urges member States to take up the challenge of transforming, including through education and training, activities in the informal economy and to integrate them into mainstream economic life. The instrument highlights the paramount importance of initial education, literacy and foundation skills, as well as lifelong learning, for the employability of individuals, and the need to recognize skills acquired formally and informally, irrespective of where and how they were acquired.

In this context, member States are called to establish, in consultation with the social partners, transparent mechanisms for skills assessment, certification and recognition that will ensure that skills are portable across enterprises, industries and educational institutions.

Of particular significance is the instrument's recognition that education and training are a right for all people. It recognizes that ensuring access to education, training and lifelong learning for people with special needs will be a powerful tool in their economic and social emancipation. The instrument identifies these groups. They include youth, low-skilled people, people who have disabilities, migrants, older workers, indigenous people, ethnic minority groups and the socially excluded. They also comprise workers in self-employment and in the rural sector. The instrument recognizes that governments have the primary responsibility for the training of these groups. The promotion of equal education and training opportunities for women and men, and overcoming gender bias, is also a firmly supported principle in the instrument.

Tackling the severe problems of the most indebted developing countries was also a major concern for the Committee. The revised instrument calls for innovative approaches to raising additional funds for education, training and lifelong learning to assist these countries.

The instrument also highlights the crucial role of teachers and trainers; the usefulness of information and communication technology; infrastructure and tools; the need to learn from examples of best practices; and the contribution of tripartite dialogue in shaping effective policies and developing relevant programmes on human resources development and training. The instrument introduces a reference to the increasingly significant role that enterprises play in enhancing investment in training and in providing workplace-based learning and training programmes – for example, by using high-performance practices that improve skills. Member States are urged to formally recognize such learning, including formal and non-formal learning, and work experience. The Recommendation makes timely provision for international and technical cooperation on education, training and lifelong learning. The sharing of technical expertise, international best practice models, financial assistance and other forms of cooperation are, indeed, indispensable to building national capacities in support of human resources development and training.

There is also a call to establish international mechanisms that mitigate the adverse impact on developing countries of the loss of skilled people through migration. Such mechanisms would include strategies to strengthen the human resources development systems in the countries of origin.

Putting into practice education, training and lifelong learning policies that reach out to all people will be a formidable undertaking in all countries, both rich and poor. Nevertheless, I am convinced that the Recommendation concerning human resources development and training will be a great asset in this endeavour as member States and the social partners join together in addressing these issues that are crucial to the well-being of our societies.

I take great pride in recommending to the Conference the adoption of the report, including the revised instrument presented by the Committee on Human Resource

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Mr. RENIQUE (*Employers' technical adviser and substitute delegate, Netherlands; Employer Vice-Chairperson of the Committee on Human Resources*)

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It is a great honour for me to present the Employers' view of the conclusions of the Committee on Human Resources.

This revision of Recommendation No. 150 is timely. The existing Recommendation dating from 1975 only deals with vocational education and vocational guidance. It was strongly based on the idea of good job descriptions, translating these into vocational education and, through guidance, guaranteeing that the right person got the right post.

Now, 30 years later, we still, of course, need good matches between education and the labour market. However, it is clear that vocational qualifications are no longer good for a lifetime. The dynamics of the labour market are accelerating. Core vocational competence related to professional skills is needed but, at the same time, employees need to be prepared for lifelong learning. The revised text captures this new concept well. To begin with, we broadened the scope of the instrument to the whole of lifelong learning, from basic education to further training during a career. We also introduced the concept of employability. The development and portability of competencies and qualifications are as important for employees, since they secure work and enable mobility, as they are for companies since they make it possible to meet the needs of the enterprise.

We also introduced new instruments like assessment of prior learning and the use of a national qualification framework. The whole of lifelong learning is facilitated by the recognition that education and training are a right for all. This is a lofty ambition, but in the present knowledge societies we should not go for less. To work towards access to lifelong learning, we explicitly spell out what the commitments of the three partners are: for governments, to invest and create the conditions to enhance education at all levels; for enterprises to train their employees, and for individuals to develop their competence and careers.

This part of the debate was one of the most important and interesting for several reasons. First of all, it is important to make it quite clear that the implementation of the concept of lifelong learning is a task that really needs the cooperation of the three

partners, each of which has its own area of responsibility.

Secondly, and this is a new element that did not exist in the old Recommendation, there is now a clear appeal to the commitment of the individual himself. Let there be no misunderstandings. As I said, Employers feel committed to facilitating agreed learning activities that meet individual needs and the needs of the enterprise, but the employees themselves can take initiatives and put some effort into their own personal development, for example, in the light of current needs in their present job or of ambitions for mobility within the enterprise. So, we Employers deliver, so to speak, bricks and mortar, but the individual of this millennium is becoming the architect and builder, responsible for developing his or her own skills.

Thirdly, this was a very good example of consensus building. We explained our own concern that we should be clear about responsibilities and mainly use existing paragraphs, but that they should be placed in a different order to highlight the fact that the lofty ambitions called for commitment on the part of all three partners. We succeeded in reaching a full consensus. I consider this to be one of the main results of this year's session of the Conference and I am very grateful to the Workers' group and the Government group for achieving this solution.

Besides the introduction of the concept of lifelong learning, the new Recommendation is much too rich for me to be able to mention every substantial improvement, but allow me to mention a selection of some items. What we appreciate very much is the balanced attention paid in the instrument to the economic as well as the social aspects of human resource development. The instrument talks as much about sustainable economic growth, as about social development and social inclusion. We point out that education and training policies should be consistent with, among other things, economic and fiscal policies. We talk about creating economic growth, as well as jobs. We, furthermore, also appreciate the attention given to entrepreneurship. This was completely lacking back in 1975.

We are particularly grateful to the African group of governments, which contributed a great deal to this discussion, and we fully agree that while the development of entrepreneurial skills is important in every country, it plays a particularly important role in the developing countries as a basis for growth and jobs. The fact that developing countries clearly acknowledge the importance of entrepreneurship, is perhaps just another example of the need to monitor both the economic and social aspects of human resources development.

With regard to developing countries themselves, there have been two important improvements, since the first discussion of the item last year. Where we failed last year, we have now managed to include a paragraph that focuses special attention on the problems of indebted developing countries and makes an appeal for innovative approaches to provide additional resources for human resources development. We were also able to agree on a paragraph that addresses the problem of the brain drain in developing countries.

On a more technical note, I should also like to mention that members showed good will to streamline last year's text. Several adjustments were made to make the whole text clearer and easier to read, to reduce redundancies and to make it more logical in

structure. We agree with those governments that expressed concern that maybe we could have done even better, but nevertheless major improvements were made and we thank the Governments and the Workers' group for making this possible.

One of our own innocent efforts to streamline the text, however, turned into a real drama. I refer to our amendment merging former clause 5(i) and former Paragraph 7, both of which dealt with the issue of social dialogue from the international to the enterprise levels. After an amendment by the MERCOSUR countries adding the words "and collective bargaining" after the words "social dialogue", however, the meaning of the new text changed completely. Instead of focusing on the promotion of social dialogue on training, we suddenly found ourselves in a debate on collective bargaining on training and the role of governments in promoting this at all levels, in other words from the international to the enterprise levels. This proposal was and remains completely unacceptable for us. Although the procedure was correct, and therefore, in the formal sense, the report could be adopted, it fails by a long way to reflect the spirit that has been shown on many other occasions. In important cases in particular and in cases where there has been a division of opinion, not only between Workers and Employers but also among Governments, there has always been some willingness to find a formulation that was agreeable to all parties. The aforementioned issue of the right to education and training is a very good example of that spirit. With regard to this issue of collective bargaining, such efforts were certainly also made at the bipartite and tripartite levels, up until just before this meeting. We really have appreciated this. Although we did, indeed, make some progress, we could not agree on this crucial issue of levels. I will not go into detail, but will inform you about what was essential and non-negotiable for us, namely that it is not for governments but only for the social partners themselves to decide at which level they wish to engage in collective bargaining on training. There was broad support for this principle, also at the informal tripartite meeting that was held to find a solution. We are amazed and highly disappointed that none of our proposals to refer to this principle explicitly in the new clause 5(f) were accepted. Given this situation, we continue to disagree strongly with the present clause 5(f).

Let me add that, in general, it is very disappointing that a discussion on an issue that could have been raised in the context of a discussion on an ILO instrument on collective bargaining, has now in fact been introduced as a kind of Trojan horse in a discussion on an instrument on human resources development and even seems to have overruled the whole of Troy, as in the famous Greek myth.

But to conclude in a positive way, let me repeat that, except for the paragraph I have just mentioned, we find the new text a huge improvement on the existing Recommendation. Many stand to benefit from this new Recommendation: those in education and pre-employment training, workers, unemployed people, groups with special needs and developing countries. It is also beneficial for enterprises and economic growth, and beneficial in terms of improving employability and promoting secure work.

We thank the Workers' group, lead by Ms. Yacob, and the Governments for the fruitful discussions we had and the many good solutions that we

found, in a spirit of consensus. I also thank the Chairperson, who did his utmost to bring the voyage to a good end. He sometimes must have felt like a captain ten seconds before the inevitable collision with an iceberg. I thank the Reporter, Ms. Murty, and the Office team led by Mr. Henriques, and welcome the support of the International Organisation of Employers and the Bureau for Employers Activities. Last, but not least, I thank the members of the Employers' group in the Committee on Human Resources, who shared their rich experiences and views on which my group was able to base its proposals.

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Ms. YACOB (*Workers' delegate, Singapore; Worker Vice-Chairperson of the Committee on Human Resources*)

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The Workers' group strongly supports the revision of Recommendation No. 150 and its replacement by this Recommendation. Human resources development, education, training and lifelong learning are of immeasurable importance to people all over the world. The right to education and training and to access to lifelong learning is a universal right that has been recognized not only in the ILO but also in other international forums as well. Human resources development is so critical that it cannot be relegated to a secondary status or left to chance without clear leadership from policy-makers and international agencies such as the ILO.

The situation facing us is indeed grave, and there is an urgent need for us to focus on the subject at all levels – a word that has become quite an impossible term in this house, I must say – in our own countries as well as at the international level. If we do not do this, we will never be able to combat social exclusion, poverty or illiteracy. The income gap will continue to widen between rich and poor, both between countries and within countries. All efforts to create a more humane globalization process will remain just a hope, despite the recent adoption by the ILO of the report of the World Commission report on the Social Dimension of Globalization.

We are living in a knowledge society where information can be transmitted just by pushing a button. Despite this, 884 million adults around the world are illiterate, unable to operate effectively even with the tools of the "old economy". UNESCO estimates that, in the least developed countries, while 144 million adults were illiterate in 1985, this figure will rise to 188 million by 2005. In other words, the number of illiterate adults will grow by 30 per cent in the least developed countries. Despite the fact that these countries are very rich in natural resources, with their low education and skill levels, many developing countries are not able to add much value to the products that they export and are therefore not able to optimize the use of their resources.

Indeed, even for highly industrialized economies, the training of their adult workforce is a matter of great urgency and priority. In the year 2000, more than 80 per cent of the economically active adults in the OECD countries were in work and would continue to work for a good number of years after that. The frightening part, though, for the OECD, is that a large part of the workforce of those countries left school with only the minimum school qualifications and the majority do not receive systematic adult education or retraining after that.

This is a serious situation as it will contribute to the increasing problem of structural unemployment in the OECD: that is, even when jobs are available,

those who are unemployed cannot perform them because they lack the skills to do so.

In 1999, the G8, a group of eight industrialized countries, adopted the Cologne Charter: Aims and Ambitions for Lifelong Learning. The preamble of the Charter makes this statement.

"The challenge every country faces is how to become a learning society and to ensure its citizens are equipped with the knowledge, skills and qualifications they will need in the next century. Economies and societies are increasingly knowledge based. Education and skills are indispensable to achieving economic success, civic responsibility and social cohesion."

That statement very aptly captures the importance and relevance of this Recommendation on human resources development, education, training and lifelong learning that we are discussing at this plenary session and which we will be voting on tomorrow.

The adoption of this instrument will enable the ILO, as a tripartite international agency, to look proactively into ways to help countries develop policies, strategies and programmes to develop their people. Through this instrument, the ILO could lead international cooperation to build up capacities for social dialogue and partnership-building in training. Hence, this Recommendation on human resources development that is before you is a very important instrument for all countries, regardless of their level of development. It is a dynamic, progressive and balanced instrument that will act as a powerful tool in helping governments to shape their policies on human resources development and will guide the social partners in their involvement.

We recognize that this Recommendation is not a solution in itself. A highly developed human resources development system alone is not the panacea to all ills, and cannot by itself create jobs or ensure higher economic growth. For that to happen, as this Recommendation stresses, there must be policy coherence. Hence, under section "Part I: Objective, scope and definitions", the Recommendation categorically states that it is important for member States to ensure that they formulate, apply and review national human resources development policies which are consistent with economic, fiscal and social policies.

Since human development is so important, Paragraph 4(a) of this Recommendation boldly reaffirms, as a clear commitment, goal and vision, that education and training are a right for all and governments should, in cooperation with the social partners, work towards ensuring access for all to lifelong learning. We recognize that not all governments have the same level of resources to commit themselves to the same extent, and that is not the intention of this Recommendation. However, the starting point is that governments as a whole need to invest more in education and training and to accord education and training higher priority. Indeed for many individuals and small companies, action by government is the key to enabling them to participate in this process in any way at all, since their immediate perspectives and potential seldom allow them to have longer term or more comprehensive ambitions.

The human resources Recommendation also clearly recognizes the responsibility of enterprises to train their employees and that of individuals to develop their competencies and careers. This clear, specific recognition of and emphasis on the respon-

sibilities of enterprises and the individual is important. Indeed, enterprises have a responsibility to invest in training their employees, for they benefit from a well-trained and skilled workforce. Today, when most companies can no longer provide lifelong employment, they must help to add value to their employees by training them so that they will remain relevant in the face of rapid technological changes and have the skills to look for other jobs when they are retrenched. This is the whole essence of employability, which is for the first time defined in an international instrument, and which is a thread that runs throughout many of the provisions in the instrument.

In this respect the notion of collective bargaining which is included in the text, is a progressive and innovative clause. Many multinational enterprises are already providing training programmes for their employees. A clear case in point is that of Danone, a French food manufacturing company famous for its yoghurt. Some of you may have eaten it every day in Switzerland – it is very widely available! Danone has an agreement on training with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), which applies to its employees worldwide. This global agreement provides for the training of its workers, wherever they may be. Such global agreements have obviously yielded benefits for enterprises such as Danone, as it helps them to develop their staff's competencies, wherever they may be, according to the standards that are required by them, and this also helps them in improving the transferability of their employees from country to country.

Collective bargaining on training is also important for other reasons. Often we hear complaints from workers that the training provided to them is insufficient because the area of training is too narrow, or the methods are ineffective, or that the resources allocated to low-skilled or older workers are not sufficient compared with those allocated to better-skilled or better-educated workers. Through collective bargaining these issues can be addressed. We can ensure that enterprises allocate enough resources for training, that there is greater equity in the utilization and distribution of training resources and that training programmes are relevant to the needs of workers. For this reason, there is a reference to the need for governments to strengthen social dialogue and collective bargaining on training.

Since this is a point that has also been mentioned by the Chairperson of the Employers' group, I would like to assure all governments present here that the government's role on this particular clause is only to support and facilitate collective bargaining on training, not to be a direct party to it. Governments can support collective bargaining on training as they have done in other areas, through the formulation of policies, for instance, or by providing a proper framework for the resolution of disputes, for instance.

As you can see, we have 22 Paragraphs in the whole Recommendation, and there is only one that talks about collective bargaining on training. One Paragraph. As someone calculated yesterday, that comprises only about maybe 1 per cent, or 1.3 per cent of the whole text of the Recommendation. But, for the reasons that we mentioned, collective bargaining was included, and it is an important instrument for us to ensure proper, effective utilization of

training resources and equity down at enterprise level, as well as to ensure that training is not something that is only undertaken by governments – as there are not many governments with a huge amount of resources to be able to provide training – or provided for people who are already in employment.

Another important aspect of this instrument is the fairly extensive references made to the informal sector. The Recommendation acknowledges that there are many countries where the informal sector occupies a much bigger space than the formal sector – in some African countries almost 90 per cent. Hence, the Recommendation recognizes the need to address the concerns of such countries. The Recommendation focuses on the challenge of transforming activities in the informal economy into decent work, fully integrated into mainstream economic life. The Recommendation recognizes the need to develop the skills and capabilities of individuals in the informal sector so that they may move into the formal sector. At the same time, the Recommendation also recognizes that in many developing countries it may be too limited to focus on education and training only as a means to prepare people for salaried employment or jobs in the mainstream economy.

There is also a need to help people acquire entrepreneurial skills so that they can earn an income and support themselves and their families. Hence, the Recommendation calls for support and assistance to be given to individuals through education and training and other policies and programmes, so that they can develop and apply entrepreneurial skills to create decent work for themselves and others.

Creating decent jobs, poverty eradication and sustainable development are key outcomes of education, training and lifelong learning which resonate throughout the whole Recommendation. The Recommendation recognizes that developing countries with massive debt problems need special help in order to develop their human resources and achieve these key outcomes. The Recommendation therefore provides that international and technical cooperation on human resources development, education and training should, taking into account the specific problems of indebted developing countries, explore and apply innovative approaches to provide additional resources for human resources development. In this way, the international community could help to mobilize resources to help developing countries to design, fund and implement modern education and training policies, which are prerequisites for development and economic growth.

This was one of the more difficult clauses that we had to negotiate with all the members of the Committee. If there are members of the Committee on Human Resources seated here, you will understand what I am trying to say. This was one of the more difficult clauses that we had to negotiate. At one stage, we had to call for a short adjournment to discuss the matter with both developed and developing countries. With social dialogue and consensus, although in the beginning when we discussed this particular issue there was no consensus, we asked for an adjournment and we had a discussion with both developed and the developing countries and, as a result of that short adjournment and discussion, we were able to stave off a formal vote on this issue. The Committee could count on consensus and this particular clause which was difficult was actu-

ally adopted by consensus without the need for a formal vote. We, in the Workers' group, are extremely happy that we were part of that process of trying to help Governments and Workers and Employers come to a satisfactory consensus on this particularly difficult clause.

Developing countries also face another serious challenge. Whatever limited resources they have, which are used to help their people develop, flow out of the country when people, lured by better jobs and prospects, move elsewhere. Hence, the Recommendation – and this is a new point as well – provides that, through international cooperation on human resources development, mechanisms should be developed to mitigate the adverse impact on developing countries of the loss of skilled people through migration, including strategies to strengthen human resources development systems in the countries of origin. At the same time, it also recognizes that creating enabling conditions for economic growth, investment, creation of decent jobs and human development will have a positive effect on retaining skilled labour.

One of the greatest barriers in workers' efforts to gain access to education and training opportunities is the lack of effective social policies and structures to support them when they undergo training, such as the lack of paid education leave, child-care facilities and the difficulties of balancing work and family demands. We are indeed most happy that, to address this concern, the Recommendation stresses the need for members to promote supportive policies to enable individuals to balance their work, family and lifelong learning interests. This is a truly progressive clause and is a clear recognition of the need to balance work, with the needs of individuals and society.

Another point of great importance to the Workers' group is the strong commitment expressed in the Recommendation to remove all forms of discrimination, whether on the basis of gender, age, ethnic group, special disabilities that people may have, or other factors, so that truly everyone can have access to education, training and lifelong learning.

It would not be complete if I did not say something about the point raised by Mr. Renique, the Employer Vice-Chairperson of the Committee. I must say, at the outset, there was no intent to introduce a Trojan horse. The debate that we have heard today has probably been somewhat influenced by the film "Troy" that is being shown. It is an American film involving very famous actors and actresses. I have not seen it myself but I remember reading about the story of Troy when I was in primary school.

Those of you who are in the Committee on Human Resources know that the matter which Mr. Renique spoke of, concerning the inclusion of collective bargaining under clause 5(f), was voted upon by the Committee at the request of the Employers' group. I have to say that again. A formal vote was requested on this social point for by the Employers. It was not something that was requested by the Workers' group or by the Governments, but we personally felt, at that point in time, that there should have been longer discussions in order for us to be able to forge a more broad-based consensus on the topic. Unfortunately, a vote was called for by the Employers' group on this issue. The result of the formal vote required by the Employers was in favour of including the words "collective bargaining"

in that particular clause. We were, of course, shocked when the Employers challenged the decision taken, on the grounds that there was no consensus, despite the fact that they were the ones that had called for the vote. To the Workers, a vote, once taken, must be respected, as otherwise we run the risk of seriously undermining the decision-making process of the ILO. There will be no finality and any decision taken can be reopened ad infinitum. This will create an unhealthy and dangerous precedent and the repercussions go far beyond the Committee on Human Resources. Despite this agonizing dilemma that we were faced with, that is the fundamental importance of upholding the decision-making process of the ILO, and the implications that this will have if we agree to reopen a clause that has been voted on through a formal vote and how this will impact not only on our Committee but on the work of other committees, how will it impact on the future decision-making processes of the ILO. We nevertheless accepted, in good faith and in the spirit of social dialogue, the Employers' invitation for formal consultations to find alternative wordings for that clause. No agreement was reached, and subsequently we accepted the suggestion Mr. John Chetwin, the Chairperson of the Committee, that we involve the Governments to help us. We spent more than three hours last Thursday night with six Government representatives from the various regions to find a form of wording for us to consider. Indeed, a form of wording was agreed on, and the Governments requested both the Workers and Employers to consider them. The Workers' group discussed and supported the wording that was agreed at the tripartite consultations. We were shocked when, for the second time, the Employers rejected even the wording which had been negotiated with the Governments. As a way out of the impasse, the Governments of France and the United Kingdom then submitted an amendment to the Chairperson of the Committee on Human Resources for discussion during the adoption of the report by the Committee on Monday. The amendment was in line with the consensus reached at the tripartite consultation. This form of wording would have greatly clarified the Governments' role in the context of that clause but, unfortunately, the Employers did not join the consensus, and therefore the Chairperson of the Committee on Human Resources could not table it. This resulted in the original text being adopted, which is the one before you. It is most regrettable that we have reached this state of affairs and that the wishes of both the Governments and the Workers have been ignored. Last Monday, when we discussed the adoption of this text, even the Governments, in particular the Government of France, and this is reflected in the provisional record of proceedings of the Committee on Human Resources, agreed that the Workers' group had made great concessions to reach an acceptable text.

Many hours of work have been spent in preparing this Recommendation. In fact, I was told that preparation started five years ago. It is a good instrument – balanced, progressive and dynamic. It is indeed a great pity that this instrument will now be demolished because of one Paragraph out of the entire text of 22 Paragraphs and because of two words, "collective bargaining", which is one of the fundamental rights which the ILO has collectively agreed to uphold and honour. It is also a great pity for us if we allow the status of the formal vote to be reduced to

nothing because one group cannot agree and wants to impose its will on others.

In conclusion, I would like to say that we in the Workers' group, throughout the two years that we deliberated on and discussed the text of this Recommendation, have shown tremendous efforts and capacity to try and reach consensus, even on issues where we felt we could have asked for a formal vote and win but did not do so. We prefer to find a consensus where we ask for adjournments and discussions, so that everyone can live with the text.

If you ask me what are my feelings right now, I must say that I am tremendously saddened by this development, and I really do hope that these whole proceedings will not be bogged down by this one particular issue alone.

I ask that you go beyond the polemics. I ask that you think of the interests of the millions of men and women whom you represent and to whom we owe an obligation. I ask that you place their welfare as the paramount consideration in your decision tomorrow when you vote. I ask therefore that you support this Recommendation and that you do so not only by giving us your votes, but also by giving us your overwhelming support.

The ILO is an Organization dedicated to improving the lives of working people. I ask for your support to uphold its dignity and the dignity of all people around the world. I ask also that you support the dignity of the decision-making process of the ILO. We have made every effort to come to an agreement and consensus, but unfortunately we have not been able to do so because the wordings that have been agreed by the Governments and us were not accepted by the Employers.

It would really be remiss of me to end without thanking several people who have worked very hard to put together the work of this Committee.

I would first of all like to thank the Chairperson of the Committee on Human Resources, Mr. John Chetwin, for his stewardship of our Committee. He has shown great skill and tremendous patience throughout the whole period. I want to thank the Office for the great work that it has done in preparing the documents and for the secretariat support it has provided. My heartfelt thanks also go to all the other members of the Committee, in particular the members of the Workers' group on the Committee, for their tremendous support, encouragement, hard work and dedication. I would also like to thank all members of the Governments. I think we have had some pretty difficult clauses, and difficult periods during the work of the Committee, I think that all of you did your utmost to try and help find a solution and for that I thank you. That was truly in the spirit of ILO social dialogue and tripartism. My gratitude also goes to my team who supported me, Mr. Frank Hoffer and Ms. Len Olsen from the Bureau for Workers' Activities and Ms. Yvonne O'Callaghan from the International Confederation of Free Trade Unions, for their support and commitment.

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Mr. CHETWIN (*Government adviser, New Zealand; Chairperson of the Committee on Human Resources*)

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I have had the honour and challenge of chairing both discussions of the Committee on Human Resources. I was also Reporter of the committee that held a general discussion on this question at the 88th Session of the International Labour Conference

in 2000. If that has given me a biased perspective on the value of this work, I do not apologize.

Human resource development and training have the potential for much good: in equipping people to enter the world of work and participate actively in society; in facilitating lifelong employability in ways that enable people to progress and adapt; in creating decent jobs, improving productivity and contributing to thriving, competitive enterprises; in supporting the achievement of sustainable economic and social development; and in promoting social inclusion and poverty reduction.

The challenge the Committee was given by the Governing Body was to develop a more dynamic instrument that would assist member States and the social partners to formulate human resource development policies for the future. I believe we have done that. Our aim this year was to build on the good work done in 2003 and in the intervening period: to refine and clarify rather than revisit issues that had already been debated extensively. Some would argue that the proposed Recommendation is not as streamlined or succinct as it could have been, and they may have a point. But I believe the Committee did well within the constraints of its process, and certainly the structure of the document is much improved.

I shall not cover the substance of the proposed Recommendation, which has already been summarized so ably by the Reporter of the Committee, Ms. Asha Murty. I shall, however, touch on some points I believe to be of particular significance.

As well as building on the important ideas developed last year – employability, lifelong learning, the roles and responsibilities of the parties, frameworks for the recognition of competencies whenever and wherever acquired, provision of equal opportunities for women and men, and access for people with identified special needs – some new ideas have been introduced. Three of special significance: are the role of training and developing entrepreneurial skills, the impact of the loss of skilled people on developing countries and specific problems facing indebted developing countries.

In tackling its task again this year, the Committee was greatly assisted by two enthusiastic, committed and knowledgeable Vice-Chairpersons, Mr. Chiel Renique for the Employers' group and Ms. Halimah Yacob for the Workers' group. Government members from developing and industrialized countries alike and from all parts of the globe brought to bear a range of perspectives that added greatly to the richness of our discussions. All of us have a natural inclination to view issues through the eyes of our own experience, but I believe members of the Committee on Human Resources showed a great willingness to listen to, learn from and discuss others' viewpoints.

Without an enthusiastic and expert secretariat, our work would have foundered very early on. Those responsible for the preparation, processing and production of our work were a key part of the whole Committee effort. My thanks go to the Representative of the Secretary-General, Mr. Michael Henriques, the Deputy Representative, Mr. Trevor Riordan, and the Coordinator, Mr. Mark Levin, and his team. Their effort was unstinting and, despite some difficulties with computer systems, their good humour almost unfailing. Without a highly professional team of interpreters, who also had technical problems to cope with, we could not have func-

tioned as a Committee. Towards the end of our process, the Drafting Committee ensured that the text of the proposed Recommendation was consistent, intelligible and met ILO standards. The process was led by the Legal Adviser, Mr. Loic Picard, and my thanks go to him, his assistants, the two Vice-Chairpersons, the Reporter of the Committee and the Government representative, Mr. Félix N'zue of Côte d'Ivoire.

As has already been alluded to, the Committee held only one vote during its proceedings. The question decided by that vote has been the subject of much, much discussion, and no doubt will be of more. But, I do not propose to add further to that discussion here. While the subject matter at issue – that of strengthening and supporting collective bargaining on training – is clearly an important one, the clause concerned should be viewed in the context of an instrument comprising 22 substantive paragraphs, five subparagraphs and 71 clauses.

This Recommendation is set in a contemporary context, is forward looking, draws on the latest thinking and is capable of adding value in a dynamic world of ever-changing challenges, needs and priorities. Working people of the world can only gain if their employers, governments, trade unions, educators and training providers draw on it in designing and implementing human resource development policies and systems around the central theme of lifelong learning. The Committee was unanimous in recommending that the proposed new Recommendation should replace the Human Resources Development Recommendation, 1975 (No. 150).

I commend to the Conference the report of the Committee on Human Resources and the proposed Recommendation concerning human resources development, education, training and lifelong learning.

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*Original Spanish:* The PRESIDENT

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The general discussion on the report of the Committee on Human Resources is now open.

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*Original French:* Mr. TRICOCHÉ (*Workers' adviser, France*)

Thank you for giving me the floor to express, on behalf of the workers of the European region, my support for the report on human resources development, education, training and lifelong learning.

The development of workers' skills and competencies is one of the essential keys to sustainable social progress and hence to the creation of decent jobs throughout the world. Investment in education and training is a decisive factor in sustainably promoting the interests of workers, enterprises and society as a whole in order to combat social exclusion, eliminate poverty and transform the activities of the informal economy into decent work.

Our Committee recognized that everyone has the right to education and training. Governments must invest in education and training, and they must define a national strategy with the participation of the social partners and create, through economic, fiscal and social policies, enabling conditions for the development of knowledge and skills. For their part, enterprises must train their workers and the social partners must assume their responsibilities so that workers can benefit from better conditions for training on the job and thus develop and maintain their employability and secure decent work for themselves.

On all of these points, social dialogue and collective bargaining are the best tools for good governance. It is thus natural that the proposed Recommendation should invite governments to strengthen social dialogue and collective bargaining.

On the basis of ILO principles, governments must strengthen tripartite social dialogue and support bipartite collective bargaining at all levels: international, national, sectoral, local and enterprise levels. This provision of the proposed Recommendation refers in fact to Article 4 of Convention No. 98. This Article of one of the eight fundamental Conventions of the ILO specifies that measures appropriate to national conditions shall be taken to encourage and promote the development of the negotiation of collective agreements between employers' and workers' organizations.

Furthermore, the level of collective bargaining is not an obstacle to bipartite dialogue. There are already many examples of this, such as the agreement mentioned by Ms. Yacob, concluded by Danone, an international group that started as a French company, and which opens up possibilities for an agreement on training for the benefit of both the workers and the enterprise. But we, too, in France, at the national level, have some experience of collective bargaining, and a historic national agreement has recently been signed by all the social partners.

Finally, where the prerogatives of the social partners are respected and the framework for intervention takes account of national systems of industrial relations, there is no reason why the social partners should contest the legitimacy of government support for collective bargaining. Collective bargaining is part of the fundamental rights and principles contained in the ILO Declaration of 1998. With freedom of association, it was chosen as the subject of the Global Report before this Conference, *Organizing for social justice*. It is thus quite useful for the ILO's strategy that the draft Recommendation should invite governments to support collective bargaining.

In conclusion, I should also like to thank all the participants in the Committee's work, who have made it possible to draft a Recommendation that can meet the challenges of globalization.

I would like to thank the Chairperson, Mr. Chetwin, the Employer Vice-Chairperson, Mr. Renique, and particularly the governments which, throughout the work of the Committee, have shown themselves most willing to help promote understanding, and I would like most particularly to thank the Governments of France and the United Kingdom which, right up to the last moment, did everything in their power to bring about consensus.

Of course my thanks go also to Ms. Yacob, the Worker Vice-Chairperson, who, thanks to her qualities of conviction, openness and sense of dialogue, made a contribution to the quality and balance of the instrument before you.

I therefore call on all the members of the Conference to adopt the proposed Recommendation concerning human resources development: education, training and lifelong learning, as it is entirely in keeping with the ILO's agenda for the creation of decent work for all and will thus, we all agree, contribute to a more fair globalization.

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*Ms. LENOIR (Workers' adviser, United States)*

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Our work here is the international expression of tripartism, an idea which, when it became opera-

tional 85 years ago, was well ahead of its time. As the President of the Government of Spain, Mr. Zapatero, said in this Assembly Hall last week, the frescos a few metres away from us proclaim “the supreme values of peace, justice, respect for international law and the defence of human dignity”.

In the twentieth century, many of us made great strides in human rights. After a struggle, political and civil rights were consolidated and extended to people throughout the world. The twenty-first century, (the African century) must, among other things, consolidate and extend social rights, as social rights form the foundation for balanced economic development. Globalization must take place within a framework of sustainable development, and the most sustainable form of development is that which includes social rights and underpins human dignity. President Zapatero’s remarks, informed by his country’s struggle, were prescient; so is this Recommendation. Labour, my colleagues, is not a commodity and therefore, as time and technology appear to have shifted into “warp drive”, we must establish a new culture of education, training and lifelong learning. This embryonic culture is reflected in our Recommendation. The Recommendation is not merely employment-related, but is also based on human dignity which comes from personal development, achievement and the promotion of equal opportunities, including active citizenship, greater cohesion and family-friendly initiatives which provide greater balance for family life and work to holistically improve our lives and strengthen our society.

In this instrument we advocate a process of globalization which has the social dimension based on shared universal values and respect for human rights and human dignity. Its detractors focus their attention on ensuring that markets and the enterprises that operate therein function efficiently, but in this instrument we have achieved hard-won gains in the true spirit of consensus, to mitigate globalization’s impact on individuals, families and their communities. There is no more worthwhile, sustainable and important investment that governments, employers and trade unions can make than thoughtful investment in people. Those investments should provide access to, and support for, education, training and lifelong learning for our collective future.

We must mobilize society in order to act together to maximize our input and change our world for the better. We can begin to do so through this Recommendation. Our constituents and colleagues, the employed, the underemployed, the unemployed, the marginalized and the poor of the world, are waiting to see what decisions we will take on their behalf between now and the vote on this instrument that is due to take place tomorrow. They are convinced that we have the ability to change their collective conditions, including putting them on the ladder of opportunity that will lead to eradication of poverty through decent work. We think that it is within our ability to do so, or we would not have devoted over three years’ work to reach this point in our deliberations. We urge you to support this Recommendation; it is the combination of a collaborative consensus between like-minded forward-thinking, innovative and progressive individuals, who work together in the spirit of tripartism to achieve something larger than any one of us for the sake of billions of people around the world.

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Mr. RAMAN (*Workers’ adviser, India*)

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Coming from the subcontinent India, I feel very proud and honoured to represent the workers from the Asian continent in this Committee and speak in support of the Recommendation.

Under the able chairmanship of Mr. John Chetwin from New Zealand, two years of hard work by the tripartite committee, in an atmosphere of mutual respect and understanding, towards conceptualizing, sharpening, polishing and fine-tuning the text for greater clarity, has resulted in this complete consensus and found expression in the drawing-up of this far-sighted, innovative and progressive proposed Recommendation concerning human resources development, education, training and lifelong learning.

The proposed Recommendation before you, which defines the role and responsibility of Governments, Employers and Workers, is a testament both to the shared commitment of the social partners and to the ability of tripartism to continuously reflect the ever-changing world of work.

The proposed Recommendation encourages all the social partners to understand the key political, social and economic forces and aims to develop knowledge and skills, to help people to understand the world in which they live, and to participate in it as knowledgeable global citizens.

The revised text, which the Committee unanimously resolved should replace the existing Human Resources Development Recommendation, 1975 (No. 150), embodies values. It is practical and focuses on technology, productivity, competencies, employability and investment in education, training and lifelong learning, while emphasizing the importance of social dialogue and collective bargaining in training.

Recognizing the right to education, the proposed text contemplates integrating mechanisms that make it possible to enlarge significantly the group of beneficiaries and to take the needs of the most vulnerable into consideration. While offering specific recommendations and guidelines for the disadvantaged groups in countries in transition and developing countries, the proposed Recommendation addresses every aspect from personal work issues, such as discrimination, and health and safety, to more global ones, like the social and human poverty crisis.

New standards – such as valuation of prior learning and acquired skills; recognition and certification; research on lost traditional skills; creation of decent jobs and maintenance of ethical standards; emigration and settlement; migration of skills and brain drain; social inclusion, etc. – also find a place in this comprehensive document.

Emerging out of the contributions of several governments of developed, transition and developing countries, together with those of the Employers’ and Workers’ groups across the globe, this beautiful piece of work awaits not only your unanimous adoption as an ILO Recommendation, but also your wholehearted acceptance and prompt implementation.

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*Original Spanish: Ms. OIZ (Workers’ adviser, Uruguay)*

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For the ILO, the main purpose of the globalized economy should be to promote opportunities for decent work for men and women, productive work in conditions of freedom, equality, security and hu-

man dignity. Education and training help individuals to free themselves from poverty, by equipping them with skills and knowledge enabling them to boost their output. But companies also get more out of education and training, because if they invest in workers' training, they improve productivity and can successfully compete on increasingly integrated world markets.

The economic growth and social development of countries are also linked to investment in education and training. In the least developed countries, it is becoming more and more clear that education and training are the basis for sustainable economic and social progress, the promotion of democracy, the mobilization of civil society and efforts to foster economic and social development.

There are many countries which define their targets for human resources development in terms of lifelong education. Many national constitutions underline the right to education and the development of human resources. In Latin America, Argentina, Bolivia, Brazil, Chile, Guatemala and Mexico are some of the countries where this right is recognized. It is also recognized internationally in the Universal Declaration of Human Rights and in the American Declaration of the Duties and Rights of Man and regionally in the MERCOSUR Declaration on Social and Labour Matters.

There is now broad consensus, at both the political and the social level that it is necessary to restructure the supply of education and training to make it sufficiently flexible to meet the demand for diverse and changing skills. Today, nobody can hope to get by all their life with what they first learned when they were young. The rapid pace of change throughout the world calls for the constant updating of knowledge at a time when young people's basic education is tending to last longer. This is essentially a qualitative development. Whereas previously, it was enough to pass on a certain amount of technical know-how and manual skills so that people could take up the job that was waiting for them. Today, it is necessary to offer a whole range of competencies to which insufficient emphasis has been given in the past. Initiative, creativity, entrepreneurship, leadership and team spirit must be accompanied by technical proficiency in less-specific areas than in the past: languages, computer skills, logical reasoning, an analytical mind and an ability to interpret charts, etc.

Priority must therefore go to measures enabling people to manage their own professional and occupational development: to find their first job, to look for a new one, to set up a firm, to obtain new qualifications and to train all the time, no matter whether they are employed or unemployed, at home or at work.

As we know, in Latin America, the interest and involvement of workers' organizations in vocational training is a good deal higher than it was a couple of decades ago, particularly if you look, on the one hand, at the interest in and the commitment to this subject and, on the other, at the ways and means of participating in the educational process.

But it is no different from the employers' point of view. The movement to set up vocational training institutes in the region, which began in Brazil with the National Industrial Apprenticeship Service and the National Commercial Apprenticeship Service, gave firms a starting point for this type of activity. They are continuing to play a leading role in the

field of vocational training and, in response to certain demands, they have strengthened vocational training and have managed to get their ideas and vision of training accepted in a variety of forums and in bilateral or tripartite negotiations at sectoral, corporate or national level.

Developing essential qualifications and guaranteeing lifelong education for all is no means undertaking for anyone or any country, even the most wealthy countries. The tasks that lie ahead mean that current educational and training reforms must be continued and speeded up.

The Recommendation, the text of which was approved in the Committee and is before this session of the Conference, covers all the features which we consider to be absolutely necessary to ensure the suitable development of vocational training which will cater for the interests of workers, firms and countries.

Workers, employers and governments, we all have something to say and much to contribute to vocational training. Both by means of social dialogue and through collective bargaining, we can arrive at solutions which will address all these concerns. This Recommendation gives us the wherewithal to attain our goal.

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*Original Arabic: Mr. ABDULHUSSAIN (Workers' adviser and substitute delegate, Bahrain)*

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The Preamble to the ILO Declaration on Fundamental Principles and Rights at Work states that the ILO should, now more than ever, do everything possible to promote labour standards, employment and training.

This shows the importance of strengthening collaboration amongst all the parties concerned, so as to promote vocational training.

As regards human resources development, all of the discussions we have had and all of the efforts by the Committee are very important, and the Recommendation before us revising the Human Resources Development Recommendation, 1975 (No. 150), emphasizes education, training and lifelong learning. It also stresses the importance of social dialogue because, in the final analysis, there can be no true democracy without collective bargaining and social dialogue at all levels.

The representatives of the Arab countries, and the Gulf States in particular, would like to stress the importance of dialogue for human resources development. For social dialogue and collective bargaining on education, training and lifelong learning is essential, especially since we are now witnessing changes at all levels as a result of globalization.

All parties – Governments, Employers or Workers – must strive to implement this Recommendation, because it comes at a historic moment when the focus is on the need to promote cooperation to think about means of implementing education, training and lifelong learning, reducing unemployment and combating poverty.

On behalf of the Workers of the Arab group who participated in the Committee on Human Resources, we would like to stress the importance of this instrument. It is a key instrument, which will have an important impact on lifelong learning, education and training in Arab countries. This is a concern shared by all Arab countries, and we are in the process of developing projects and programmes for technical apprenticeships, as well as for education

and training. All this is the result of the social dialogue we have held among the social partners.

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Ms. RIGGS (*Workers' adviser, New Zealand*)

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I am speaking on behalf of the workers of New Zealand, the Pacific region and Australasia.

This Recommendation, as it has been drafted, enables employers and workers alike to agree on education and training provisions and policies that will benefit both social partners and the societies of all our nations.

However, this can only be done in the context of the economic and social realities already existing in the countries concerned. To give life to this Recommendation, all countries need to be mindful of the fact that education and training, access to lifelong learning and human resource development is an investment. It will not happen simply because a Recommendation has been passed here at the ILO; it will not happen simply because people think it is a good idea, and it will not happen unless the resources so sorely needed, in particular in the developing nations, are made available and applied to this area.

The specific problems of indebted developing countries must be addressed, so that innovative approaches to providing additional resources can be explored and applied.

As you have heard, we have had a high degree of consensus in the development of this instrument. We have not always agreed on every aspect of the hows and the whys, but one thing we have all agreed on is that if developing countries are ever going to stop being called "developing", then investment and lifelong learning, education and training will have to be one of the main cornerstones on which this change will be built. That cannot be achieved without resources.

It is incumbent on us all to see to it that this instrument is adopted and that its full intentions and the intentions of the parties are put into effect – not tomorrow, not the day after, but now.

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Mr. LAMBERT (*Employers' delegate, United Kingdom*)

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During the three years 2000, 2003 and 2004 in which the Committee on Human Resources has met there has been really excellent work. I have been involved in every one of those discussions. This subject is of enormous importance.

I would like to quote President Bill Clinton, who was an excellent communicator, when he was trying to convince the American population of the message, and he said, "It's the economy, stupid!" I would like to parody that by saying that, for the world's problems, "It's education, stupid!" Or, to parody someone else, it is education, education, education that will change the face of this world.

The debate over these three years has been significant when you consider the prize at the end. Education leads to employment and ultimately, the great goal of the eradication of the stain of poverty.

It is therefore of great sadness to all the Employer team that the clause inserted in the text regarding collective bargaining at all levels for training – not a collective bargaining for pay and conditions, but for training – is clearly at odds with a great proportion of management thinking and practice throughout the world.

The fact that we do not like this clause will not stop enterprises investing in the job-related training of their employees. Employers are the main source

of training, following full-time education. They are the people who pay.

It is a well-known fact that a well-trained, flexible team of employees reflects well on the reputation of companies and the employees themselves.

Five years ago – before I ceased my full-time employment – I had the responsibility of closing a major plant in the United Kingdom. Because the market was so irascible – it was so difficult, the market collapsed – we had to close the plant.

What we had been doing for years was to look for flexibility of all the workers in that plant, and not by negotiation, but we discussed with the unions, we consulted, when we talked to them on the fact that we should make sure that every single employee in this plant was flexible over five to ten jobs.

When we closed that plant, within four months, every one of the 2,000 employees who wanted to continue to work had found another job because they had been so flexible and well-trained in the job they did. That was management's decision; they decided that that was the right thing to do.

So there is no debate about the training that needs to be done. The debate is about collective bargaining. Well-based, job-related training can have significant results for enterprises and employees.

Enterprises will always train and educate for the job because it is their responsibility and because the success of the enterprise depends on it. The future of the enterprise depends on the workforce, and its commitment and training to do the job.

This document has many excellent provisions, and I congratulate all those who have worked so hard to achieve a modern document for the future. It is, therefore, with considerable sadness that I reflect, in this brief interjection, the Employers' disappointment regarding this unacceptable clause or, to use Ms. Yacob's words, almost, it is not a satisfactory conclusion.

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Mr. WAJDA (*Employers' adviser and substitute delegate, Canada*)

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Thank you for letting me speak on the topic of human resources.

Over the past three years we have been working diligently towards developing a new Recommendation concerning human resources development that would meet the needs of the governments, workers and employers. I believe all parties worked very hard to create a modern, progressive Recommendation that fits well into today's ever-changing global society. The goal was to replace the Human Resources Development Recommendation, 1975 (No. 150), with a short concise document that not only meets today's reality, but also looks forward, taking into account the rapid expansion of information and communication technology and the realization that learning is a lifelong process.

Throughout the discussions we had lively debates with all parties willing to openly discuss the issues. I will only touch on two issues that had substantial debate as my other colleagues will talk about some of the others.

The first one was the recognition that education and training are right for all and that we work towards ensuring access for all to lifelong learning.

From an Employers' point of view, and especially the Canadian Employers, the wording of the text still causes us concern as it may be interpreted that individuals can request training not related to enterprise needs. The Employers tried to clarify the text,

indicating that they would commit to train their employees based on individual enterprise needs to reflect the group's understanding of the Employers' commitment. However, we could not come to a consensus on the language. For the sake of building trust and respect between the social partners, the Employers abandoned their position and continued the dialogue.

Over the last two years the tripartite discussions have led to a softening of positions as all agreed that the statement was more of a long-term aspiration or goal. Many countries indicated that in today's environment it would be difficult to implement training at all levels. However, we still believe it is a worthwhile aspiration.

Another important item within the Recommendation was the explicit commitment made by the governments, employers and individuals in recognizing the partners' responsibilities in the realization of lifelong learning. It was agreed that the governments have the responsibility of investing and creating conditions to enhance education and training at all levels. Enterprises need to train their employees to ensure competitiveness and individuals need to develop their competencies and careers. Especially in today's environment, it is extremely important that individuals recognize that they themselves are the architects and builders responsible for developing their skills and careers throughout their lives.

I believe that all parties made many positive movements in the spirit of tripartite dialogue in an effort to reach consensus on all major topics. We believe the Recommendation is modern, progressive and forward-looking and 90-95 per cent of the content is an accurate reflection of the Group's work. However, at the end of the day we were not able to reach agreement on the infamous 5(f) which puts collective bargaining on training at the international/national/regional/local/sectoral and enterprise levels. We all agree that collective bargaining is a component of social dialogue but it is not the only component. I am disappointed that we could not reach a consensus on how to make 5(f) agreeable to all parties. The way 5(f) is currently written will have significant ramifications to Canadian employers and it is for that reason we cannot support the Recommendation, even though 90-95 per cent of the content is a good piece of work as it takes into account the needs of all parties and the unique issues in developing and developed countries.

It is also important to note that we accept the ILO process on how we arrived at the current 5(f).

I would like to thank the Governments and the Workers for contributing to the debates on the topics that are dear to our hearts. It is unfortunate that we could not agree on one item.

I would also like to thank all the Employers who participated in the Employers' debates and I would especially like to thank Mr. Renique, the International Organisation of Employers (IOE) and the ILO Bureau for Employers' Activities (ACT/EMP) representatives in their efforts in trying to reach an agreement on behalf of the Employers.

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*Original French: Ms. AWASSI ATSIMADJA, (Employers' delegate, Gabon)*

Allow me, on behalf of the Confederation of Gabonese Employers (CPG), to congratulate and thank the two spokespersons of the Employers and the Workers for the professional and respectful way in which they both conveyed, debated and defended

the views of the Employers and Workers during the second discussion of the proposed Recommendation concerning human resources development: Education, training and lifelong learning.

My congratulations also go to the Governments which showed their clear will to achieve the golden mean, and to the Chairperson of the Committee for the expertise, finesse and skill with which he led the work of the tripartite Committee.

I was particularly impressed by the dedication to methods of negotiation and social dialogue which prevailed in the urgent quest for solutions so that a text acceptable to all parties could be produced. However, I cannot help noting that this process of social dialogue did not go all the way.

I think we can safely state that at the very heart of the concerns of this instrument on human resources we find the tripartite concern for decent work, a better well-being for most, if not for all. I would like to state that this well-being can only be achieved if the enterprises creating goods and services are free and satisfied with the legal, economic and other conditions which should encourage private investment. These conditions belong to the field of the State.

Of course, we want education, training and lifelong learning since private enterprises know and are convinced that the human resources which we all are, are at the heart of all human social and economic development and all adequate productivity for as many people as possible, if not for all. The social dialogue which we all advocate in this house must, therefore, prevail.

In the course of the debate on the standard on human resources, reference was made to a series of themes, and I shall only mention a few of them because of time constraints. One of these themes is social dialogue, and I am tempted to add, constructive social dialogue. An example comes to mind: my country, Gabon. We are currently experiencing such constructive social dialogue through the signing of a three-year social truce.

Another theme, and by no means the least important, is the gender approach. With your permission, let me dwell on this theme in a very succinct manner. May I mention in this connection the misunderstanding which persists as to that concept. Indeed, far from being only in favour of women, this concept aims at re-establishing a balance also for men. Side-by-side with the ILC, a round-table discussion was held with the participation of the Director-General of the ILO entitled "The contribution of women to the ILO - future expectations". This meeting, although alongside the ILC, dealt with an issue which, in my opinion, has been addressed satisfactorily by the present instrument. The Employers' representative at that round table gave us a concrete example of the way in which employers are striving to apply the concept of the gender approach. It is a matter of establishing programmes targeted at training and giving responsibility to female human resources, and of progressively, but directly and unequivocally, sharing decision-making posts.

Mr. Henri-Claude Oyima, President of the CPG, and the other Employers' representatives here advocate citizen-based enterprises which respect the free will of our human resources and particularly women so that they can participate effectively and actively in education and lifelong learning.

Finally, I would like to say that last year at the plenary during the first discussion of this instru-

ment, I had pointed out that the CPG was an example of good practices in the field of the gender approach. At the plenary in 2003, I had pointed out as direct proof of this the fact that the representative of the CPG at the ILO, the International Organisation of Employers (IOE) and the Pan African Employers' Confederation (PEC) is a woman. I would like to conclude by stating that the CPG is happy once again to share the fact that it has become enriched by a woman who has joined it as Deputy General-Secretary.

These examples, coming from Gabon and from the Employers' representative who spoke during the round-table discussion and many others from Africa, are interesting examples to cite and share, to serve as inspiration for Africa, where I am from and where my ancestors were born, so that the respective social and cultural aspects can be taken into account.

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Ms. GOLDBERG (*Employers' adviser and substitute delegate, United States*)

When the ILO adopted its Human Resources Development Recommendation in 1975, we lived in a different world.

Our political universe was defined by the Cold War. Personal computers, fax machines and cell phones were unknown, as were countless other items that we today regard as indispensable to the conduct of our businesses and our daily lives. The Internet had yet to be invented. The world of work at that time was a largely static place, its horizons determined by physical and geographic boundaries and its potential seemingly defined by ideas of the nature of the labour market that we now regard as outdated.

Today, millions of people around the world are gainfully employed making and using goods and services that were unimagined, indeed unimaginable, 30 years ago, using the technologies that have made globalization possible. These technologies have also transformed the fields of education and training.

It is not only fitting, therefore, but essential, that we revisit the advice on the development of human resources, that we gave to governments, on their responsibility to provide the basic educational foundation that enables individuals to become contributing and productive members of society and to implement the policies that are essential to economic and human development; to enterprises, on the necessity of ensuring the appropriately trained workforce required in order to remain innovative and competitive; and to workers themselves, who have a role to play in managing their own careers, throughout their lives.

For these reasons, United States employers have welcomed the revision and replacement of Recommendation No. 150 with the modern, dynamic and flexible instrument we have before us today. For these same reasons, we deeply regret that the final text includes the infamous clause 5(f) and language that we cannot endorse. However, this is a wide-ranging document that incorporates much of the latest thinking in the field of training and on such concepts as lifelong learning. We hope and trust that the many useful concepts and suggestions contained in this text, on which we were able to achieve widespread consensus, will provide a constructive basis for action by all parties.

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Mr. PATIL (*Employers' adviser, India*)

The proposed Recommendation concerning human resources development: Education, training and lifelong learning, is most appropriate and timely in the context of a globalization that is fuelled by communication and information technology. It is also immensely and universally valuable to the least developed, developing and developed countries of the world.

Every society needs to educate its members in order to prepare them for citizenship and also to enable them to pursue gainful and meaningful employment in their own interests and in the interests of society as a whole.

Training for specific employment goes a long way in supporting productivity and competitiveness. Lifelong learning is necessary to boost employability and income protection in a rapidly changing world.

Put together, these are a very powerful means of achieving the goal of decent work for all.

In the Asian context in particular, the proposed Recommendation has the potential to accelerate economic growth with social progress only if the social partners and stakeholders cooperate in initiating and implementing the policies that stem from this instrument.

The document provides above all for a recognition of education and training as a right for all and clearly provides a role for the social partners and stakeholders. It provides for a broad policy framework within which countries would be able to develop their own policies and programmes tailored to their own particular needs and circumstances.

The policy framework relates in a very focused way, but also in broad detail, to the multifarious aspects of education and training, including the development of competencies, the recognition and certification of skills, the certification of training providers, the provision of career guidance and support services, research in human resources development and international and technical cooperation. It also provides for the encouragement of entrepreneurship development. It would, if implemented, help us to move in the direction of attaining our goal of a fairer globalization.

The teeming millions from the least developed and developing countries will find an opportunity to fulfil their fair and just aspirations of leading economically and socially secure lives through gainful employment and meaningful work.

Coming from India, I have seen what a difference investment in education and training can make for a country. It is education, its knowledge of workers in particular and its ability to insource a lot of work from the developed nations, that has given India pride of place in the community of nations. In the process, this has provided jobs for thousands of people and at the same time has provided cost-effective solutions to clients throughout the world. This might potentially create a temporary imbalance in employment in the developed world but it is certainly beneficial in the medium and long term to the outsourcer as well as to the insourcer. This also obviates the need for more migration than necessary on this count.

The greatest potential of the proposed Recommendation is perhaps its capacity to raise global awareness of the need for human resources development, education, training and lifelong learning. I

believe that awareness leads to understanding, which is necessary for developing commitment. I firmly believe that once a commitment is achieved, a way can always be found to achieve even the most difficult, seemingly impossible, objective.

Significant efforts have been made to build and refine the text and to produce the document in its present form. I have a fond hope and a strong belief that the social partners will be able to find, even at this stage, a mutually acceptable solution to the difficulties that arose in relation to clause 5(f) during the course of our deliberations on the Recommendation, which in its present form, is not acceptable to the Employers' group. In the unlikely event that this instrument does not find its passage through this august body, I hope that the spirit and the policy framework generated by this instrument will go a long way in achieving the tripartite commitment towards human resources development, education, training and lifelong development.

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Mr. ARNOLD (*Employers' delegate, New Zealand*)

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The report of the Committee on Human Resources provides significant scope for ongoing work in the field of education, training and lifelong learning. In the short time I have available I wish to focus on the following areas: entrepreneurship, growth and collective bargaining.

The provisions relating to entrepreneurship are an example of the new Recommendation adapting to the modern world of work. We are encouraged by the support that the developing countries have given to this during the proceedings.

Building educators' understanding of business, enterprise and innovation is a major initiative identified in the Recommendation.

The OECD has noted that improvement in human knowledge is a common factor behind economic growth in recent decades. In the OECD countries, it is estimated that the increase in human knowledge accounted for more than one extra percentage point of growth in the 1990s compared with the previous decades. Investment in education is one of the recognized means of achieving high rates of employment, economic growth and social progress.

Education has two important effects on productivity. First, it generates knowledge, which translates into technological improvements and aggregate productivity gains. Second, education can increase the skills and knowledge of individuals and so enhance their employability and work security. The ability to learn, innovate, adapt and exercise judgement, along with communication, analysis, management and leadership, are fundamental.

The major difference between the tripartite partners has been over the relevance of collective bargaining in one particular clause of the text of the Recommendation. The Employer members in the discussion have been unable to agree with the reference to collective bargaining within the context of clause 5(f) of the section dealing with the development and implementation of education and training policies. However, the Employer members were able to accept a reference to collective bargaining in clause 9(c) of the section dealing with the development of competencies. I would like to briefly digress from my written notes and repeat: there is not just one reference to collective bargaining in the text, as the Worker Vice-Chairperson said, but two, namely in clause 5(f) and clause 9(c). It is unfortunate that this difference stands in the way of im-

provements to the text made in the Committee when compared with the original text of the Recommendation. Whilst we acknowledge that we, the Employers, have contributed to some procedural problems, we have been consistent in our objection to the inappropriateness of the reference to collective bargaining in clause 5(f), but not in clause 9(c).

As the New Zealand Employers' delegate, I can confirm that we in New Zealand will continue with the voluntary approach to issues of collective bargaining and social dialogue. Business New Zealand is engaged in a number of tripartite or bilateral dialogues involving the New Zealand Council of Trade Unions and the New Zealand Government. These are examples of responsible social partnership at the national level focused on positive agreed areas of work. These engagements include the Skill New Zealand Campaign; bilateral discussions on productivity; and participation in the Government's workplace productivity working group.

The underpinning principle for all of these engagements is that they are voluntary and focus on shared common goals in areas such as skills, productivity, and economic and social development. None of these engagements are related to collective bargaining, either at the enterprise or sector level. In fact, the clear separation between the issues of collective bargaining and action on issues such as skills, productivity and other economic issues has led to progress which would otherwise not have been possible. Business New Zealand and the Council of Trade Unions have been engaged in extremely useful bilateral discussions on the issue of productivity since November 2002. These discussions have identified three broad areas of focus: workplace productivity; infrastructure issues; and skills and training issues. The New Zealand Government has established a working group of public and private sector individuals to consider measures that might be taken by business, employees and Government to improve productivity in the workplace. A key theme for the working group has been a focus on non-regulatory approaches to improving workplace productivity.

In conclusion, the key to the success of engagement between the social partners in the New Zealand context has been a clear demarcation between issues of national importance where there is agreement and common cause between the parties, and issues of industrial relations and collective bargaining, at either an enterprise or sector level. Without this separation, it is likely that very little, if any, progress on critical issues would have been achieved. Without this separation in the Recommendation similar problems can be foreseen.

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Mr. LEWIS (*Employers' delegate, Jamaica*)

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I speak not only for Jamaica but the views I shall express are shared by my Caribbean friends on the Employers' side.

Over the past two weeks we have participated with much interest in the discussions on human resources. I am sure that we have all benefited from everyone's participation.

The discussions were positive and frank. There was mutual respect shown on all sides. The Chairperson and Vice-Chairpersons did their jobs professionally. The staff too cannot be faulted for the excellent way in which they went about their jobs and, on behalf of the Caribbean region, I thank them all.

We came out with what can be regarded as an excellent document on education and training, but for one paragraph, which the Employers find unacceptable if the clause relating to collective bargaining is included. After much effort, consensus could not be reached on this paragraph. We find this most disappointing, not only for the Employers' group, but in particular for us in the Caribbean. We, in this part of the world, are a poor developing nation. Unfair trade and unfair investment are already taking their toll on us. In open competitive economies, resources need to be constantly relocated from less to more efficient uses. This in turn requires a constant change in workplace and in the employment structure of the economy. In our enterprises this can mean transferring or laying off workers in the wider economy, which entails structural change, enterprise failures, bankruptcies and dislocations.

Let me hasten to say Employers recognize that enhancing the contribution by working men and women to productivity growth through education and training is an integral part of the whole development process and goes hand in hand with measures to enable workers to express their views in a manner which also provides employers with the mechanism for dialogue on all subjects, including education and training.

To this end, we Employers in the Caribbean support the ILO in setting standards. But the language of such standards should be flexible enough to give poor developing countries a chance.

We recognize that it is essential for poor nations to try to rise to the challenges of a changing world, but standards which are not flexible can be the difference between job creation and job retention, as against job redundancies and the failure of enterprises to expand or even invest in new business.

We in the Caribbean see employment as a principal route out of poverty and to this end all economies must generate opportunities for investment, entrepreneurship, job creation and a sustainable livelihood.

In the 1990s, those in poverty in our region increased from 121 million to 132 million, with a quarter of our population still subsisting on \$2 a day or less. It is precisely for these reasons that Caribbean Employers do not support this contentious paragraph which includes collective bargaining. We believe it will be a foot in the door for the introduction of a legislation which will prove burdensome for us and which could ultimately, in today's world, force employers to look at their employment policies and relationships in a different light, and which could have implications for the excellent relationship currently existing between employers and trade unions in our countries.

The position which the discussions have taken on the relevant paragraph makes what could be an excellent document most unfortunate. It is unfortunate because a long time has been spent working towards revision of the current Human Resources Development Recommendation, 1975 (No. 150), and it is fair to say that all Committee members agree that this Recommendation is an improvement over Recommendation No. 150 but for the relevant paragraph.

If there was consensus, this Recommendation would be a useful guide for the development of a skilled and productive workforce but all is not lost. Disappointed we are, yes, but we will all return to our respective countries richer for the depth and

richness of the discussions which we have been engaged in. But as we leave, we cannot help but reflect on the fact that if at the centre of the standard-setting body, we all cannot come to a consensus, although we have had the help of experts to reach this difficult decision, then we recognize that as a tripartite group, there is much more work to be done. Bearing in mind that all countries are not at the same level, and all countries are not at the same point of development, we are a responsible group and we ask that when you vote, you take into consideration the plight of the poor developing countries. If we have to deal with education and training through collective bargaining, this is going to be a problem for developing countries.

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Ms. ROJVITHEE (*Government adviser, Thailand*)

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On behalf of the Thai Government and as one of the members of the Committee on Human Resources, I am pleased to inform you that this proposed Human Resources Development Recommendation, 2004, was carefully drafted by the mutual efforts of member countries, in a spirit of harmony and compromise. Frankly speaking, it is not as perfect as we had expected, because of the differences in the socio-economic politics of each country that form the national policy of that country. But I can assure you that most of the content of this proposed Recommendation will be a vital instrument to empower global human resources to survive through the effects of globalization, as well as being a major tool to alleviate poverty by promoting employment, social inclusion, decent work and protection of the right of people to access to education, training and lifelong learning. The text provides clearly for co-operation between government, employers, workers and the social partners at national and international levels in developing and increasing knowledge, skills and competencies of "global people".

I believe that member countries will reap the benefits of this Recommendation by observing the text and selecting the parts that are compatible with the national environment for implementation. The current national policy of the Thai Government emphasizes that the Thai economy should be a knowledge-based economy with people at the centre of development. They should have the right to develop themselves continuously, in line with the concept of lifelong learning and training not only for employability but also for their quality of life and their happiness. The promotion of entrepreneurial skills to enable our people to run their own businesses as small and medium-sized enterprises also constitutes the main strategy of the Thai Government to promote employment for our people.

As a result, we are pleased to adopt the Human Resources Development Recommendation, 2004, to replace the Human Resources Development Recommendation, 1975.

Lastly, may I express my appreciation for the leadership of the Chairperson and the capacity of both the Employer and Worker Vice-Chairpersons, and also for the dedication of the ILO secretariat and interpreters who bring our work to its conclusion.

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*Original Spanish: The PRESIDENT*

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As there are no further speakers, I propose that we proceed with the approval of the report of the Committee, which is contained in paragraphs 1-999.

If there are no objections, may I take it that the report is approved?

*(The report – paragraphs 1-999 – is approved.)*

**PROPOSED RECOMMENDATION CONCERNING HUMAN RESOURCES DEVELOPMENT: EDUCATION, TRAINING AND LIFELONG LEARNING: ADOPTION**

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*Original Spanish:* The PRESIDENT

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We shall now proceed to the adoption of the proposed Recommendation concerning human resources development: education, training and lifelong learning, Paragraph by Paragraph, beginning with the Preamble.

*(The proposed Recommendation – the Preamble and Paragraphs 1-4 – are adopted seriatim.)*

The Employer Vice-Chairperson of the Committee has the floor to speak about Paragraph 5.

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Mr. RENIQUE (*Employers' delegate, Netherlands; Employer Vice-Chairperson of the Committee on Human Resources*)

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Many members have made comments on this particular clause 5(f), to which I have been listening carefully. Many members on the Workers' side have also said that we should have a last try to get the instrument adopted unanimously. For that reason, the Employers' group wants to propose an amendment. Before I read the text, I also want to comment on questions raised by Ms. Yacob. A question could be: do the Employers not respect the vote? Yes, we want to respect the vote. We thought the issue was – and you have heard in some contributions that some people have different opinions about that – but the issue is whether or not collective bargaining can be a useful instrument in discussing training issues. We will accept this. Of course, social partners determine their agenda themselves, so in one country more of these issues can be on the agenda in collective bargaining than in another. But in principle we want to accept this.

Second, the other issue is that from the Workers' side, there is a wish to engage this at different levels. We are ready to accept this, so we want to respect completely the essential issues of the voting. Do we want to introduce a new procedure in this house? No, we do not. It is not our intention to have any voting, revoting or repeated discussion in plenary. That would cost us weeks and, of course, that is not our intention.

We wish to make an exceptional request to this audience – and it is exceptional – to accept our proposal in order to make it possible for us to join the overwhelming support for this instrument, and for that reason, I would like now to read the amendment we submit for consideration.

Subparagraph 5(f) would read as follows: “strengthen social dialogue and support voluntary collective bargaining initiatives on training at different levels where they exist, as basic principles for systems development, programme relevance, quality and cost effectiveness, taking the specific national law and practice into account.”

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Ms. YACOB (*Workers' delegate, Singapore; Worker Vice-Chairperson of the Committee on Human Resources*)

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I have listened very carefully to what Mr. Renique said, and he said that the Employers' group respects the vote that has already been taken. There is no intention of reopening the debate, but, by putting in this amendment, the Employers actually are reopen-

ing the debate. We had debated exhaustively at the Committee level, where everyone had the chance to give their views, and after we had debated, there was even an attempt to try and seek continuation on the process to reach consensus through the interventions of the Governments. In fact, an amendment was put in by the Governments of the United Kingdom and France. But, unfortunately, that spirit of consensus, social dialogue and tripartism did not prevail over the Employers.

Right now, we are asked once again in this plenary, which is an unusual and exceptional situation. We are asked to reopen the debate. In the history of the ILO we have not done this because it does not show much respect for the Committee. It does not show respect for the fact that a vote was taken at the request of the Employers. It also does not show respect for the fact that we made every effort to try and seek a consensus and, despite the vote being taken, we entered into bilateral consultations. We could not come to an agreement, despite a vote being taken. We entered into tripartite consultations. Suggestions were made for amendments but they did not have the agreement of the Employers.

I would like to ask this question. Is this an institution that respects tripartism, which believes in tripartite dialogue? Or should we have an institution where it must always be the case that the world must be in favour of one group? I think this is a very fundamental and important question.

I would also like to address a point which was raised by one of the speakers from the Employers' group, when he said that I had suggested that there was only one reference to collective bargaining. I would like to correct that. My exact words were, “Do we want to scuttle the whole instrument just because, out of 22 Paragraphs, this one Paragraph talks about collective bargaining?” I did not say that the whole instrument only has one. But I am saying that it is in this particular clause that it is found offensive by the Employers.

So, what is the big problem about collective bargaining? We have heard that there are many countries where collective bargaining also takes place on training, and this is also the case. Do we believe then that there should only be collective bargaining once a country has reached a developed status? The answer is no. The mechanism of collective bargaining is well established. It is an established mechanism accepted under the Declaration on Fundamental Principles and Rights at Work. It was again reinforced by the Global Report. We see that collective bargaining is obviously one process to ensure an inclusive globalization process, to ensure that there is a fair globalization for all.

In view of the amendment which the Employer Vice-Chairperson has tabled, I am obliged on behalf of the Workers' group to table the amendment which has obtained the support of an overwhelming majority of Governments. The Governments of France and the United Kingdom originally tabled this amendment. I will read the text as follows which I am submitting as an amendment. Members should “strengthen social dialogue and support bipartite collective bargaining on training at international, national, regional, local, sectoral and enterprise levels as basic principles for systems development, programme relevance, quality and cost-effectiveness, taking the specific national industrial relations system into account”.

Let me conclude, by explaining why we find the Employers' amendment objectionable. The words "voluntary collective bargaining initiatives at different levels where they exist", are completely ambiguous. We are not sure what they refer to in this context. Do the words "different levels where they exist" refer to bargaining and training at the different levels? Does this refer to the basic principles of systems development and so on? What does it really refer to? Secondly, this is in the context of the Government's responsibility, and it says that "members", which means "Governments", should strengthen social dialogue and collective bargaining. If we were to adopt the Employers' amendment, it would amount to saying that Governments should support or strengthen collective bargaining only at the levels where it exists. So, either collective bargaining at the enterprise level is only the level that governments can support, or, only if there is collective bargaining at the sectoral level, then that is only the level that the government can support; if there is an intention to have sectoral bargaining but only enterprise bargaining now exists, then that cannot be done; in fact, if there is no bargaining at all then bargaining is something which governments could not support.

For those reasons, we cannot support the amendment put forward by the Employers.

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*Original Spanish:* The PRESIDENT

The Presidency notes that two amendments have been proposed to Paragraph 5, clause (f), in Part II on development and implementation of education and training policies.

We call upon the Chairpersons of the Employers' group and the Workers' group to approach the secretariat to deliver their proposed amendments.

*(The sitting was suspended for a short time.)*

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*Original Spanish:* The PRESIDENT

After consultations with the Chairpersons of the Employers' group and Workers' group, Mr. Funes de Riója and Mr. Trotman, respectively, and with the advice of the Legal Adviser of the Organization, and in the presence of the Officers of the Conference and the Vice-Chairpersons, it has been decided that we will not examine the amendments submitted by the Employers and the Workers.

Therefore, the Presidency will submit the original text that the Committee sent to the plenary, and tomorrow there will be a vote on the report of the Committee, at which time each grouping will be able to vote on the report.

Let us, therefore, proceed with the examination of the text of the proposed Recommendation concerning human resources development: Education, training and lifelong learning, Paragraphs 5-22.

*(The proposed Recommendation – Paragraphs 5-22 – are adopted seriatim.)*

If there are no objections, may I take it that the proposed Recommendation, as a whole, is adopted?

*(The proposed Recommendation, as a whole, is adopted.)*

We have now concluded the consideration of the report of the Committee on Human Resources, as well as the proposed Recommendation submitted to us.

In accordance with paragraph 7 of article 40 of the Standing Orders of the Conference, the provisions of the Recommendation concerning human resources development: Education, training and lifelong learning, will be transmitted to the Conference Drafting Committee for the preparation of the final text.

The record vote on the Recommendation concerning human resources development: Education, training and lifelong learning, will be held in plenary tomorrow morning.

I should like to congratulate the Officers and members of the Committee on Human Resources, and the staff of the secretariat, for the excellent work that they have accomplished.

## SECOND AND THIRD REPORTS OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

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*Original Spanish:* THE PRESIDENT

We shall now proceed to the examination of the second and third reports of the Credentials Committee, which are published in *Provisional Records* Nos. 6C and 6D. The Officers of the Committee were as follows: the Chairperson and Reporter was Mr. Oni, the Employer Vice-Chairperson was Ms. Sasso Mazzuferi and the Worker Vice-Chairperson was Mr. Edström. I would now like to call upon Mr. Oni to submit the second and third reports of the Credentials Committee.

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*Original French:* Mr. ONI (*Government delegate, Benin; Chairperson and Reporter of the Credentials Committee*)

I have the honour to present to the Conference a brief summary of the activities of the Credentials Committee this year, which appears in the second and third reports in *Provisional Record* Nos. 6C and 6D.

During the Conference, the Committee received ten objections concerning the nomination of delegates and six complaints about non-payment or partial payment of the subsistence expenses of delegates of the social partners. We also received one communication. The Committee notes that the number of cases has fallen significantly over recent years. The objections examined by the Committee mostly concern government interference in the appointment of Workers' or Employers' delegates to the Conference.

The Committee notes with concern that a number of situations continue to recur from year to year, and wishes to emphasize the importance of governments abiding by their constitutional obligations and ensuring that employers and workers are able freely to choose the members of their respective delegations.

As regards the complaints, the Committee notes with satisfaction that some governments responded rapidly by paying delegates' expenses so that the complaints have become moot. The Committee hopes that, in future, similar problems can be resolved without delegates having to submit complaints. It notes that the Conference decided yesterday provisionally to change its Standing Orders so as to give the Credentials Committee more effective tools, and welcomes that decision.

I would like to thank the Conference for having renewed its trust in appointing me a member of the Committee. I would like to express my thanks to my two colleagues, Ms. Sasso Mazzufferi and Mr. Edström, for the spirit of consensus which character-

ized our work, and to the secretariat for its excellent technical support and all the excellent work done.

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*Original Spanish:* THE PRESIDENT

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The Credentials Committee adopted these reports unanimously and the Conference is simply called upon to note them.

*(The reports are noted.)*

I would like to thank the Officers and members of the Credentials Committee, and the staff of the secretariat, for their excellent work.

**REPORT OF THE COMMITTEE ON MIGRANT WORKERS:  
SUBMISSION, DISCUSSION AND APPROVAL**

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*Original Spanish:* THE PRESIDENT

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We shall now proceed to the examination of the report of the Committee on Migrant Workers, which is published in *Provisional Record* No. 22. The Officers of the Committee were as follows: the Chairperson was Mr. Dé, the Employer Vice-Chairperson was Mr. De Regil, the Worker Vice-Chairperson was Ms. Burrow and the Reporter was Mr. Kebbon. I would now like to call upon Mr. Kebbon to submit the report of the Committee on Migrant Workers.

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Mr. KEBBON (*Government adviser, Sweden; Reporter of the Committee on Migrant Workers*)

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I am pleased to present to the Conference the report of the Committee on Migrant Workers, as adopted yesterday by that Committee.

The Governing Body decided at its 283rd Session in March 2002 to place on the agenda of the present session of the International Labour Conference a general discussion on migrant workers based on an integrated approach.

Its agenda was to include labour migration in an era of globalization; policies and structures for more orderly migration for employment; and improving migrant worker protection. The task of the Committee on Migrant Workers was to deal with this agenda item on the basis of a report submitted by the Office, *Towards a fair deal for migrant workers in the global economy*.

The Committee initiated its work with a general discussion addressing international labour migration from a more general perspective and, subsequently, more specifically under four points agreed to be the focus of the debate. On the basis of a draft text prepared by a smaller working party, the Committee then reviewed amendments to this draft at some length and in detail, and concluded its work by adopting a set of conclusions by consensus.

The conclusions include a plan of action which, on the one hand, sets in motion a process intended to contribute to the ongoing multilateral exchanges on this subject and, on the other, details how the ILO should contribute to creating a fair deal for migrant workers in a global economy. The plan of action has several components, including: first, a non-binding multilateral framework including the development of guidelines on a series of relevant issues based on best practices in the field of international labour migration; second, the promotion of ILO standards relevant to migrant workers; third, capacity building and technical assistance; fourth, the development of a global knowledge base; and fifth, support for a sustained social dialogue in this area. In terms of follow-up, a series of different proposals

are submitted for consideration by the Governing Body.

Although the issue of migration is complex and controversial, and the discussion in the Committee reflected the diverging perspectives surrounding this issue, it should be noted that the Committee was able to conclude its work on the basis of consensus. Admittedly, the Committee came very close to a vote on one occasion, but a concerted effort by all parties resulted in a compromise which was generally acceptable. Thus, a cooperative spirit prevailed in the end and all parties concerned made genuine efforts to bring the work to a conclusion that would be acceptable to all.

On balance, it seems fair to state that while a consensus is emerging throughout various international forums that migration can be beneficial to all provided it is better and more effectively managed, this consensus is as yet rather fragile, and considerable efforts will have to be deployed in order to enhance the possibilities for an informed debate on this issue, to allay fears, and to strike a balance between different and sometimes diverging interests. The results of the Committee's work will no doubt be an important contribution to that process.

A final comment: Governments are often – and they should often be – pressured to respond to new challenges, by workers and employers or, as is the case in other situations, by NGOs and civil society actors – in short, by those who are directly concerned by the issues and problems under discussion. The ILO's unique tripartite structure gives the social partners considerable power which gives the Organization the weight that makes it a key actor on global social issues. To retain this strength, it is of crucial importance that even where there is a majority view on an issue under discussion, every effort is pursued to reach broad tripartite understandings. In the present context, we can all congratulate ourselves for having made the extra effort to reach an end result which is both progressive and broadly accepted. This should provide a solid basis for the ILO to move forward towards creating a fair deal for migrant workers in a global economy.

Against this background, the International Labour Conference is invited to adopt the draft resolution and conclusions concerning a fair deal for migrant workers in a global economy, including the ILO plan of action for migrant workers contained in the report of the Committee on Migrant Workers, and to invite the Governing Body and the Director-General to give them due consideration in planning future action on migrant workers.

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*Original Spanish:* Mr. DE REGIL (*Employers' adviser and substitute delegate, Mexico; Employer Vice-Chairperson of the Committee on Migrant Workers*)

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First of all, as a Latin American, I would like to congratulate the President on his election and also say how happy I am to have such a wise and judicious President at this session of the Conference.

It is a great honour and pleasure for me to be able to present the Employers' views on the report and draft conclusions produced as a result of the intensive work of the Committee on Migrant Workers.

As was apparent during the discussions, the issue of migrant workers and the consequences of migrant labour are extremely important for employers. In a globalized world, with rapid structural change and unprecedented technological progress, jobs can be transferred from one country to another with un-

heard-of ease. This means that it is crucial for our companies to have access to the workforce, knowledge and skills that they require in order to increase their productive capacity, efficiency and competitiveness, and is particularly important given the population and employment trends which we see today.

The report reflects current concerns as regards the issue of migration, which is as old as humankind itself. However, the twenty-first century, undoubtedly, will see the greatest migratory movements ever known. Migration levels will continue to increase over the coming years and this century will be marked as the great age of migration.

At present, about 86 million of the 175 million migrants in the world are workers. The figures will rise significantly in the coming years. Therefore, this is an issue that affects all countries, be they countries of destination, origin or transit.

In the case of my country, Mexico, it is clear that all three possibilities apply, because many Mexicans go to destination countries such as the United States and Canada, and many Central Americans come to work in Mexico or pass through it as they travel north.

The case of Mexico clearly illustrates the imperative need to come up with formulas that will help to solve the problems faced by Mexico with regard to migrant workers. In addition to Mexico, many other countries are also affected by this phenomenon. Therefore, the mandate given to the Committee by the Governing Body was to determine how our Organization can face up to these challenges, how it can be equipped to solve these issues and, lastly, how to direct the future work of the ILO in what is such a topical and vitally important area.

There is no doubt that the work carried out by migrants has made a positive contribution to economic growth. The Committee report, which is very good and extremely wide-ranging, shows that labour migration has led to non-inflationary economic growth and to the creation of jobs, has given greater flexibility to qualifications and labour skills and has made populations younger. Of course, it has also led to other trends and has also, unfortunately, given rise to problems.

This full range of issues was analysed and discussed by our Committee and, as our work progressed, a very basic idea started to emerge in the minds of all the members of the Committee, namely how to maximize the benefits of labour migration and how to limit its risks.

The ILO operates on the basis of its standards and, therefore, the Committee deemed that the Conventions concerning migrant labour were of fundamental importance. We therefore discussed the relevance, timeliness and force of Conventions Nos. 97 and 143, which were adopted in 1949 and 1975 respectively. The result was that the Office should investigate the causes of the low level of ratification of these Conventions. Convention No. 97, which was introduced 55 years ago, has been ratified by only 42 countries, in other words by 24 per cent of member States. Convention No. 143 has only had 18 ratifications, which represents 10.2 per cent of the international community.

The debate highlighted many of the reasons for this low level of ratification and rejection by nations. From the outset, the Employers pointed out that these Conventions do not address the present problem of labour migration, do not propose solu-

tions to the current situation of migrant workers and do not take into account the origin and destination of these workers in the twenty-first century. These instruments are obsolete and, although they can be looked at as a source of historic interest, they do not address the root causes of the problems of migrant workers today.

Therefore, our position was that the Office should devote its meagre resources to looking at the obstacles that countries face when considering these instruments. We feel that it is totally inappropriate to launch a campaign to promote the ratification of these Conventions, because this would only be a waste of the Office's resources and would not achieve good results, particularly in destination countries. Instead of this expense, we feel that the Office should focus on providing technical assistance to member States, both origin and destination countries, so that they can formulate appropriate migration policies and policies for receiving migrants and can incorporate into those policies issues relating to national development, family protection, investment of remittances and the promotion of skills and qualifications. In countries of origin, technical assistance poses greater challenges because it has to take into account the causes behind labour migration, identify them and propose solutions to them. We should also consider how workers who return can be given support, and how to negotiate and implement bilateral and regional Conventions. The matters of welfare and social security should also be addressed.

The number of migrant workers has increased considerably over recent years. This is reflected in the greater number of women and young people who are migrating and who, in ever larger numbers, have an irregular status, entering countries of transit and destination illegally. This new and sizeable flow of undocumented workers gives rise to many problems, not only for workers, who can be abused and mistreated, but also for governments which are obliged to safeguard human rights. We must admit that for employers, as well, numerous problems arise, since the hiring of illegal workers always brings with it the threat of administrative sanctions and, in some cases, a prison sentence. Furthermore, for employers who seek to comply with national legislation, unfair competition on the part of those who do not do so constitutes a big obstacle and sometimes puts them at a complete disadvantage. Employers who break the law should be sanctioned but, on the other hand, if employers need workers to meet market demand, then they have no option but to look for that workforce, otherwise they cannot produce and they become less competitive and this in turn affects the company and its workers.

As you can see, this issue involves contradictions and endless problems which affect workers, employers and governments. No one can question governments' natural right to plan, decide and implement their migratory policies, but nor can we deny that the imperatives of the labour market should be borne in mind by governments and the latter should facilitate the hiring of migrants and ensure that their situation is made legal.

In the same way, it would be helpful to have a plan of action and a guide to hiring migrants, because labour rights, taxation, social security and the labour market would be improved immediately.

During the discussion, two subjects that were frequently brought up were the protection of the labour

rights of migrants irrespective of their migrant status and the observance of human rights. We, the Employers, agree with the principle, but we must put on record that for this to work national laws and practices must be revised and adjusted accordingly. The matter of social protection is another area of great concern because it is essential that suitable legislation be adopted both at the national level and in bilateral and regional agreements. Europe's rich experience might help us to find ad hoc solutions in other regionalized economies. It is clear that what the Governing Body should do is to find a way of discerning better what migrant workers need in the context of work, to coordinate and work together with other bodies concerned with the subject of migration, for example, the United Nations Global Commission on International Migration and the International Migration Organization, to draw on and select basic principles from other existing instruments relating to migrants to which the report and resolution refer, to do everything necessary to more clearly identify the links which migration forges between countries of origin and countries of destination, to establish better statistics, to more clearly identify needs and lastly to give full backing to technical assistance.

This difficult assignment has taught us some lessons, which are worth mentioning so that we can improve our work. The first lesson is that the Office should focus on very neutral documents of a reasonable length, which do not lead to the discussion of factors which do not relate to the world of work. The second main lesson is that conclusions are just that – conclusions, not a review of the original documents and reports. You cannot finish your work when conclusions go beyond the essential and touch on secondary matters.

The third great lesson is that the spokespersons of the Workers' and Employers' groups should discuss the subject before the Conference, to establish positions and start to look for alternatives. We have done this for the second time and the result is now visible. Furthermore, governments should be supplied with information in advance and an attempt should be made to find an answer to subjects like this one, which have many political implications.

I must point out that the omens for our work were not good. The success of this important Committee required the constant hard work, patience and intelligence of our Chairperson, the Minister of Labour from Senegal, Mr. Dé, the work of Ms. Burrow, spokesperson of the Workers, whose experience, good faith, pragmatism and enormous intelligence made it possible to find solutions, prepare texts, and press on with finding a settlement. My thanks to both of them.

As far as the secretariat is concerned, I would also like to extend my thanks and recognition to the excellent and marvellous team from the Office, especially Monique Zarka-Matres, Manolo Abella, Javier Escobar and Patrick Taran, who, together with their team, and Mr. Assan Diop, always did their utmost to find solutions.

The report you have just heard was prepared by Mr. Kebbon of the Swedish Government, who kept our work in perspective and facilitated the adoption of the report.

For my group, this beautiful mosaic of different national realities, I only have thanks for their support, wisdom and tenacity. To the Government delegates, I would like to express my recognition

and gratitude for their ability, intelligence, and patriotism in accepting proposals without having a binding text or proposal so that a solution could be found to a problem which affects us all.

Lastly, a note of gratitude to and admiration for the interpreters and translators, these people who are essential and invisible because we cannot see them from here, but who make it possible for us to communicate.

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*Ms. BURROW (Workers' delegate, Australia, Worker Vice-Chairperson of the Committee on Migrant Workers)*

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I am very pleased to be able to speak on the conclusions concerning a plan of action for the ILO on the critical topic of migration.

At the outset, I would like to apologize to members of the Committee on Migrant Workers for not being present yesterday for the adoption of our report. Unfortunately, I had accepted an invitation to attend another meeting in Europe when the adoption of our report was originally scheduled for Monday. Nevertheless, my colleagues have briefed me on the developments from yesterday, and I was delighted to hear that the conclusions and the report were adopted with the full endorsement of all members of the Committee.

I wish to particularly thank Mr. Dé, our Chairperson, for the extremely gracious comments he made yesterday at the adoption of the report, and to reiterate the thanks of the Workers' group for the professional and good humoured manner in which our Chairperson managed the work of the Committee over the last two weeks.

My thanks also go to the Government representatives and the Office for the valuable contributions they made to our work.

I also wish to thank Mr. de Regil, my counterpart from the Employers' group, for the extremely constructive collaboration and the genuine friendship that we have developed over the last few weeks. I am confident that we will continue to work closely together on the implementation of these conclusions and the further development of the multilateral framework.

Our collaboration is based on mutual respect and a recognition that both employers' organizations and trade unions have a serious stake in these issues. The needs of the labour market and the need for the protection of workers coincide in a way that provides a powerful and timely concern for both our constituencies.

Unions and employers have a serious stake in the debates taking place on migration at the national and international levels. If our voices are sidelined or ignored, the tensions that already surround migration will be exacerbated.

On the other hand, as the discussions over the last two weeks have demonstrated, we can help reduce fears about the consequences of migration and forge consensus.

The development of a multilateral framework on migration will place the ILO, and thus employers, workers and governments, back at the heart of deliberations on migration.

The ILO has a natural mandate concerning labour migration and we hope that this plan of action will see it realized.

I understand that in his closing comments yesterday, Mr. Dé referred to the strength of tripartism and the way in which the ILO, through its tripartite structure, enables us to consider controversial issues

like migration from all perspectives. I fully share his opinion on this issue. Indeed, migration is undoubtedly a complex and, unfortunately, increasingly controversial issue. The debates over the last two weeks were always frank and at times a little heated. Yet we managed, through compromise, on all sides, to reach a full consensus.

The final conclusions fairly reflect the desires of all sides, we believe. In the course of our debate, we considered more than 180 amendments to the draft conclusions.

A large proportion of these amendments was submitted by governments of industrialized market economy countries (IMEC). The majority of these governments have economies dependent on migration, and yet are dealing with significant political and social debate concerning its impact. Through constructive consultations and negotiations, we eventually found compromises and were able to reflect not only the IMEC concerns, but also those of developing country governments, in the final conclusions. It is amazing that, despite the nature of the subject, it was not necessary to have a single vote in the Committee. Our conclusions have been adopted unanimously and this is testament to the balanced nature of the outcome.

I have also received a full report on the comments made by the ILO Director-General at the adoption of our report yesterday. I understand that he described our conclusions as a milestone for the future of coherence in the multilateral system and a concrete response to the report of the World Commission on the Social Dimensions of Globalization. I am told that the Director-General indicated strong support for the plan of action and accepted the request in our conclusions for the ILO to elaborate the multilateral framework for migration. He undertook to report back to the Governing Body in November 2005 as we had asked.

The development of the multilateral framework on migration was the central component of the Workers' group's submissions through the discussion. We adopted this approach because of a fundamental belief that increased and better managed migration has the potential to provide substantial benefits for both receiving and sending countries.

As members of the Committee are aware, I have spoken at great length over the last two weeks about the economic advantages migration contributes to economic growth in receiving countries. There is a need for continuing migration to offset demographic changes and rejuvenate ageing labour forces. In Canada alone, by 2010, all net growth in the labour force will come from migration.

We have focused on the *potential* economic benefits of migration for developing countries. Reduced labour supply in countries with high unemployment, underemployment and massive informal economies can reduce labour market pressure and put up pressure on wages and working conditions, thereby offering greater security and dignity for working families. Remittances, return migration and the potential for migrants to help their home countries, receive the technology investments and increase trade opportunities they require for economic development all add to the positive economic potential represented by migration.

Unfortunately, at present, the economic opportunities presented by migration for both receiving and sending countries are not being maximized. We believe that the multilateral framework can help both

industrialized and developing countries to adjust their policies and can assist all countries to achieve the potential benefit that increased migration can provide.

The Workers' group also adopted this stance because we concur with many of the conclusions regarding migration contained in the report of the World Commission on the Social Dimension of Globalization. The World Commission recognized that a major gap exists in the current institutional structure of the global economy. This was the absence of a multilateral framework to govern cross-border movement of peoples. In paragraph 431 of the World Commission's report, it was noted that, "from the perspective of developing countries the absence of a multilateral framework for the cross-border movement of people reflects yet another gap in the rules governing the global economy. Many of them maintain that freer migration to the industrialized world would be a swift and powerful means of increasing the benefit they receive from globalization." In this context, developing countries have increasingly recognized this potential and are now pushing for a significant expansion of temporary migration, or time-bound migration, in the context of the mode four discussions on the General Agreement on Trade in Services (GATS) at the World Trade Organization. We understand that there is still a strong desire amongst developing countries to extend GAT's mode four to cover unskilled workers and dramatically expand the magnitude of workers covered by this agreement.

In fact, despite all the discussions over the last two weeks about the various international forums discussing international migration, it is probably the trade negotiators within the WTO who will exercise the most immediate influence over the magnitude and scope of migration in the near future. However, a major concern for the trade union movement is that the GAT's mode four discussions have so far completely ignored the working conditions that should apply to people moving across borders under this arrangement. There has been no serious discussion of equal treatment, or implementation of relevant ILO standards for these workers within the WTO negotiations. Moreover, the WTO does not have the technical expertise to handle these labour-related issues in isolation from other international organizations.

This is, therefore, another reason why we believe that a multilateral framework is required, to influence and balance all aspects of migration. Again, we concur with the World Commission on the Social Dimension of Globalization, when it says, with regard to this issue: "a multilateral regime for the cross-border movement of people that makes the process more orderly and eliminates the exploitation of migrants could offer considerable gains for all".

In paragraph 433, the World Commission observed that "the lack of an orderly multilateral regime on the cross-border movement of people has, by default, allowed a number of serious collateral problems to emerge". According to the Commission, these problems include brain drain, increasing irregular migration, international trafficking and labour exploitation.

I am pleased to note that the conclusions of our Committee have fully recognized many of these negative consequences of migration. Large sections of our conclusions focus on the extent and the severity of labour abuse associated with migration.

Many, but not all, of the abuses relate to irregular migrant workers. The rapid expansion of irregular forms of migration in recent years is therefore one factor contributing to the increased incidence of abuse. Another explanatory factor is globalization and the increased competition in produce markets which result in the pressure to reduce labour costs. Unfortunately, this has led to the exploitation of irregular migration, of the irregular migrant workers, who are in vulnerable situations and are unable to defend their rights. Industries like agriculture and construction, along with women in domestic labour, are particularly vulnerable to migrant labour abuse and require special attention. The expansion of temporary or time-bound migration, if it takes place without adequate labour protection, could exacerbate these problems.

To mitigate these problems, urgent measures are required to encourage and expand regular migration as a substitute for irregular flows. I am delighted that our conclusions have recognized that the establishment of a more transparent and consistent migration procedure would go some way towards encouraging increased regular and less irregular migration.

During the discussions, the Workers' group argued that amnesties, or rather amnesty programmes, particularly for those migrants making a continuing contribution to both the communities and, indeed, the economies of their destination countries should be considered – programmes that would reduce the existing level of irregular migration through the regularization of such people. We are disappointed that the conclusions do not contain more forthright recommendations on this issue.

During the discussions, the Workers' group also highlighted concerns about the role that private recruitment agencies were playing in the abuse of migrant workers. To reduce the incidence of such problems, we called for the licensing and regular monitoring of migrant recruitment agencies and the introduction of penalties for agencies that infringed the law. Our conclusions reflect and respond to these concerns.

The major potential downside of migration for sending countries is brain drain. While our conclusions recognize the importance of this issue, I am somewhat disappointed that they do not contain more precise commitments to compensate developing countries for the lost investments that they are making in educating highly skilled workers who migrate. Also, I am disappointed that the conclusions did not deal more thoroughly with the inappropriate economic policies being pursued in many developing countries. The continued focus on privatization, labour market flexibility and restrictive macroeconomic policies are important "push" factors behind migration from developing countries.

However, on the positive side, our conclusions did recognize that there are often significant social costs associated with migration when it leads to family dislocation, along with the need for support through the ILO's Global Employment Agenda for the generation of decent work in countries of origin.

Given the economic potential of migration, the recognition that this potential is not being realized, plus the evidence of a series of widespread migrant worker abuses, there is obviously considerable scope to manage migration better and improve outcomes for all parties. We recognize that this is a complex task and will require a careful balance of

competing interests. Given the multifaceted nature of the problems and issues that need to be addressed to generate a fair deal for sending countries, receiving countries and the migrants themselves, the Workers' group believes it is highly appropriate that, in paragraph 23 of our conclusions, we decided that: "In order to assist member States to develop more effective labour migration policies, the tripartite constituents have agreed to develop a non-binding multilateral framework for a rights-based approach to labour migration which takes account of national labour market needs."

Paragraph 24 contains 20 bullet points which are examples of the types of issues and policies that we have agreed should be included in the multilateral framework. Many of the issues identified in paragraph 24 respond to the economic, social and labour concerns that I have just elaborated. Paragraph 24 represents an open list of issues that will be addressed by the multilateral framework, and we have agreed that the framework will not be limited to these issues. The 20 issues we have specifically identified fall within the ILO mandate. Many of them concern action designed to more effectively protect the labour and human rights of all migrant workers and the promotion of the economic advantages of migration for both sending and receiving countries.

I have to admit that the term "rights-based" generated much discussion within the Committee. Throughout this discussion, the Workers' group were consistent and clear about the meaning attached to these words. In our opinion, a rights-based approach to migration is one that reflects the relevant international labour standards and principles that have been developed through the ILO. We are pleased that the Committee eventually accepted this approach and reflected this in our conclusions.

The conclusions we have adopted clearly acknowledge that the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), remain relevant today. The Committee has unanimously agreed that the ILO may undertake a campaign to promote ratification of these Conventions and the implementation of the principles within these Conventions that relate to the protection of migrant workers. We call on the Governing Body and the Office to ensure that the resources are available to implement this decision.

We note that some 22 countries have asked for assistance. We believe that this is important foundation work if migrant workers are to be protected and migratory flows efficient and respected. We believe that this is in the interests of all parties – Governments, Workers and Employers – and wards against the unfair competition which the Employers are rightfully concerned about.

Our conclusions also confirm that a number of other ILO instruments are relevant to migrant workers. These include, but are not limited to, the fundamental ILO Conventions and ILO standards concerning private employment agencies, social security, protection of wages, maternity protection, labour inspection and occupational safety and health. Taken together, these instruments provide an appropriate basis for a rights-based approach to migration.

We would also draw attention to paragraph 29 of our conclusions, which states that: "Participants endorsed the conclusions of the 1997 Tripartite

Meeting of Experts.” Our conclusions call on the Office to promote the implementation of the guidelines on special protective measures for migrant workers in time-bound activities. These guidelines include provision of equal treatment on wages and other terms of employment for workers in time-bound or temporary activities and nationals performing similar work. In our opinion, these conclusions should help overcome any lacunae that may exist in Conventions Nos. 97 and 143 in respect of what are often referred to as “posted migrant workers”.

Paragraph 31 of our conclusions recognizes the importance of capacity building on issues related to migration for governments and employers’ and workers’ organizations. It is recognized that migration policy, labour rights, legislation and practice, national databases, labour inspection services, campaigns against racism and xenophobia, as well as the generation of decent work, are all areas of critical importance for us all and assistance is vital to achieve such.

The key to ongoing understanding and policy development on migration is social dialogue. In paragraph 34 of the conclusions, the Committee has requested the ILO to support social dialogue at both national and international levels. Let me again thank all concerned and in particular pay an important tribute to my own team: Bob Kyloh, Luc Demaret, Verena Schmidt from the Bureau for Workers’ Activities and Ms. Elsa from the International Confederation of Free Trade Unions as the Workers’ group secretary. They have been tireless workers; their ability, their capacity to find a way through has been very much respected by me and I think, along with a very competent Bureau and drafting group, we have served the Workers’ group well. But I think that we have served the Committee in general and migrant workers well.

In conclusion, this general discussion on migration was one of the first experiments with the new integrated approach to subjects that the ILO has been promoting in recent years. We have decided that there is no need to reopen or revise the existing ILO instruments concerning migration at this time. Rather, we have decided that the existing instruments related to migration should be promoted. We have also decided that the ILO should substantially expand its activities on migration. In fact, we have jointly devised a plan of action for future work of the Office, including the development and implementation of a non-binding multilateral framework on migration.

I would agree with the Director-General that this represents a milestone in ILO work on migration. This moment in time, and these decisions, are comparable to the decisions taken in 1949 and 1975, when the ILO adopted the two existing Conventions on migrant work. We recall that Convention No. 97 set the framework for bilateral agreements that helped govern migration policy in the middle decades of the last century. We are confident that our plan of action and multilateral framework will provide the guidance required to better manage and more appropriately govern labour migration in the twenty-first century. We ask for your support.

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*Original French: Mr. DE (Minister of Public Services, Labour, Employment and Professional Organizations, Senegal; Chairperson of the Committee on Migrant Workers)*

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Over the past two weeks it has been my honour to chair the Committee on Migrant Workers. Today, I have the great pleasure of informing you that the Committee has reached a broad consensus on a major initiative: a plan of action for the ILO on the issue of migrant workers.

The challenge which we had to meet is reflected in the title of the report, which proved an extremely useful working document for our debates. We had to find ways towards a fair deal for migrant workers in the context of a global economy. Knowing how sensitive migration issues are, it was a truly enormous challenge and I think that we were all a little apprehensive of it as we begun our discussions.

The task was indeed very difficult. Perceptions varied widely on many issues amongst Governments themselves, then between Workers, Employers and Governments. But, thanks to a remarkable spirit of conciliation, the Committee managed to build consensus on issues which, as Mr. Somavia underlined, are some of the most difficult issues that the international community has the responsibility of dealing with.

It is quite clear that one thing really helped us: the fact that all parties involved (Governments, Employers and Workers) share one and the same commitment – to provide better protection for migrant workers and a better system for managing labour migrations. What I think is particularly remarkable is that the Committee undertook to identify a number of very specific questions which are to be included in a multilateral framework for managing migrations. The Committee also managed, in a what I believe to be a truly brilliant manner, to provide the Office with clear guidance on the issues which need to be covered by guidelines for this subject.

It is in the context which I have just described, that we submit to you today the result of our work. You have before you our report: a faithful and objective account of the broad-ranging discussions, and our conclusions on a fair deal for migrant workers in a global economy, including a plan of action for migrant workers. These conclusions are founded on tripartite support, and are backed unanimously by all the members of our Committee. They reflect agreement on paths which we must continue to explore within the context of an ongoing multilateral debate, needed in order to respond to the different concerns expressed, and to help us move towards a fairer deal for migrant workers, it being understood that all this will be done in close cooperation with the relevant United Nations institutions and agencies.

The proposed plan of action contains a number of elements. We have agreed to establish a non-binding multilateral framework to guide us, taking a rights-based approach to the handling of international migration. This framework takes into account labour market needs and respects the sovereign right of all States to determine their own migration policies, including the terms for entry into their territory and under which conditions migrants may remain. It lists a number of issues on which the ILO, in a tripartite context, will have to develop guidelines based on best practices to be considered by the Governing Body in November 2005.

We reiterate the importance of international labour standards on the subject of international migration and also the need to improve knowledge and implementation of these standards. We underline the need for capacity-building in the member States and the need to provide assistance for this, as well as the need to develop our knowledge base when it comes to international migration. Lastly, we reiterate and underline the crucial importance of social dialogue in this context.

I think we all agree that there have been times during the past two weeks when we had our reservations as to whether we would be able to reconcile our different points of view. I am pleased with the efforts made by all members of the Committee to seek and achieve consensus, which enabled us to successfully conclude our work.

It is my honour now to submit, for the consideration of all, the report of the Committee on Migrant Workers to the International Labour Conference in 2004, as well as the conclusions which will allow us to move towards a fairer deal for migrant workers in the global economy.

May I express my hope that this plenary will vote in a positive manner on the results of our deliberations.

May I, before I conclude, address my warm thanks and congratulations to the Employer Vice-Chairperson, Mr. de Regil, and the Worker Vice-Chairperson, Ms. Burrow, for their leadership, perceptiveness, pragmatism, and their awareness of their group's positions, but also their ability to draft and to compromise. In the same way, I would like to thank all the Government, Employer, and Worker members of the Committee.

I would like also to congratulate and thank the entire secretariat, who gave us all the help we required. In particular, I would like to mention Mr. Abella, Ms. Zarka-Martres, Mr. Javier Escobar and Mr. Taran.

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*Original Spanish:* The PRESIDENT

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The general discussion on the report of the Committee on Migrant Workers is now open.

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Mr. PENDER (*Government adviser and substitute delegate, Ireland; on behalf of the European Union*)

I have the honour to take the floor on behalf of the European Union. I want, at the outset, to thank the Chairperson of the Committee for the way in which he chaired its deliberations. This was done with patience and good humour when required, particularly when delicate or sensitive issues of a political or technical nature were being addressed. I also want to thank the ILO secretariat staff for their work during the sittings of the Committee and behind the scenes in the last two weeks, and the interpreters for their dedication and great patience during some long sessions.

The EU Member States consider that the work undertaken at this Conference makes an important contribution to a future ILO plan of action in the area of improving the position of migrant workers, without duplicating work that is already being undertaken by other international bodies. It was also considered important to ensure that the sovereignty of governments was respected in relation to migration policy.

We welcome the adoption by the Conference of the resolution concerning a fair deal for migrant workers in a global economy. The Governing Body

of the ILO has been asked to give due consideration to the conclusions contained in the resolution in planning future action on migrant workers. The Director-General has also been requested to take them into account when preparing the Programme and Budget for the 2006-07 biennium and in allocating such other resources as may be available in the current 2004-05 biennium.

I want to thank my colleagues from the other 24 EU Member States and the European Commission for their assistance. They have demonstrated great friendship towards Ireland during its EU presidency and during the work of the Committee. There is an old Irish proverb which, when translated into English, states "the journey is shorter if there are two of you". In the context of the tripartite system and consensus-building approach of the ILO, I want to acknowledge the contributions from both the Workers' and Employers' representatives; I think that the proverb should perhaps now be changed to read "the journey is shorter if there are three of you". We have all worked very hard on reaching a consensus on this resolution, and on behalf of the European Union, I commend the Committee's report and the resolution to this plenary of the 92nd Session of the International Labour Conference. And finally, I would like to say thank you, or as we say in Irish: go raibh maith agaibh.

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Mr. GAMMAMPILA DON (*Government delegate, Sri Lanka*)

We noted with appreciation the rich discussion held in the Committee on Migrant Workers dealing with international migration and the true state of tripartism demonstrated during the proceedings, and the adopting of the Report of the Committee.

Migration is now of global importance and is dealt with in a multitude of forums touching on its various dimensions. The cross-cutting nature of migration has created a need to make effective links between issues and discussions in various international forums. Therefore, Sri Lanka endorses that the ILO should play a central role and hopes that it can work in effective coordination with other relevant organizations.

Sri Lanka is of the view that setting up a permanent committee on migration of the ILO Governing Body is desirable for the purpose of implementing the conclusions and plan of action. In this context, Sri Lanka supports the proposal and urges the member States to seriously consider the setting up of a permanent committee.

Sri Lanka has an estimated 1 million workers overseas which is equivalent to one-seventh of the labour force. It is also the principal source of foreign exchange earnings in the country. Our migratory flow, moreover, is characterized by predominantly unskilled females who are mainly engaged in domestic work and who choose to migrate to improve their living standards.

We therefore place emphasis on the need to protect the rights of migrant workers and endorse the agreement to have a rights-based approach which recognizes labour market needs and the sovereign rights of all nations.

We also agree with the proposed conclusions which underline the complex relationship between migration and development. A comprehensive national approach to improve social welfare and cohesion in the context of a large population of migrant workers is an issue of special interest to Sri Lanka. Accordingly, the situation of the family which faces

special problems upon the departure of migrant workers, especially female migrants, is an area to be addressed, and endorses the need to have renewed focus.

Sri Lanka also welcomes all capacity building, awareness raising and technical assistance from the ILO in the field of migration with a view to promoting and protecting human rights and labour rights. We agree with the proposal to develop a framework for international guidelines on best practices and international standards.

Finally, I want to thank the Committee on Migrant Workers and persons involved in its activities for producing an excellent document. I fervently hope that effective implementation of the conclusions will strengthen welfare and protection measures accorded to migrant workers and help both labour-supplying countries and receiving countries to benefit from international migration.

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Ms. SAAB (*Government delegate, Lebanon*)

We highly esteem Report VI, *Towards a fair deal for migrant workers in the global economy*, for its entirety and entire methodology.

We believe that the issue of migrant workers is a complex one. This can be seen when we consider the plan of action for a non-binding multilateral framework which will protect and take into account the particularities of States in dealing with or enacting legislation to address this subject. The International Labour Office has a wide responsibility to disseminate information and provide a database on the global labour market to both receiving and sending countries. The ILO should also provide technical assistance, when required, to thus facilitate the consideration of adequate policies based on the national sovereignty of governments. Lastly, I would like to thank the Committee on Migrant Workers for the value of this work.

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Mr. MANLEY (*Employers' adviser, United States*)

The conclusions and plan of action referred to in the Committee on Migrant Workers' report are significant for international employers in a number of ways; permit me to address just a few of them. First, the conclusion and plan of action are fully supportive of the needs of international businesses for recruiting, training, assigning and allocating human talent around the world. The report clearly acknowledges the benefits to all when individual or enterprises are free to hire and transfer human assets as they judge best for commercial advantage in a competitive global market place. The action plan is explicit in calling for orderly and efficient sovereign migration policies that are coherent, transparent, viable, adaptable and dynamic to facilitate these needs.

Second, the plan of action is significant for the mode of ILO leadership recommended by the tripartite constituents in the complex area of migration. By their consensus to proceed with the non-binding framework of best practice guidelines rather than a more traditional Convention or other such instrument, the parties recognize that progress on such complex topics is likely to be more enduring if partners are led by enlightened example, rather than pushed by inflexible conformity. In this specific regard, the Committee made the correct decision when it retreated from the original suggestion that the ILO undertake a renewed campaign to ratify migration Conventions drafted 50 and 30 years ago.

The nature of global work-based migration has changed drastically in the quarter century to half century that has passed since those instruments were prepared, as the plan of action specifically notes. This has been a chief reason why those instruments have had such a low level of ratification. The Committee report now simply acknowledges that the ILO, of course, may promote those Conventions, but the action plan makes plain that the limited resources of this body are better devoted to other things.

The ILO should not attempt to drive forward on the migration topic by looking in the rear-view mirror at those outdated and inapplicable instruments. To the extent that the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), recite historical principles relevant to modern circumstance, we may, of course learn from them. However, the work of the ILO in the area of work-based migration should focus on a viable and flexible framework of forward-looking best practices; it should not seek further to promote ratification of Conventions Nos. 97 and 143.

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Mr. ANDERSON (*Employers' adviser and substitute delegate, Australia*)

Australian employers support the adoption of the draft report of the Committee on Migrant Workers. This report is the product of the detailed, lively and difficult tripartite social dialogue that has taken place over the past two weeks. The final result is an analysis of the issue of global labour migration, which goes to the heart of its economic and social dimensions.

Many difficulties were encountered in developing a coherent set of conclusions that reflect the tripartite interests within this institution. Given this, it is remarkable that a coherent set of conclusions is now before us. I am particularly pleased that paragraphs 3 and 4 highlight the benefits of labour migration, that paragraph 10 provides an overview of the challenges faced by employers of migrant labour, and that numerous paragraphs juxtapose the recommended "rights-based" approach with a consideration of labour market needs and national sovereignty.

Australian industry, as a significant net employer of labour migrants, is doing its part to offer opportunity, skills development and increased living standards for migrant workers and their families. To be effective and credible, national policy on labour migration needs to be managed to meet the changing needs of industry and the circumstances of migrants themselves. The report accepts this proposition. The end point of the report is a recommendation for a multilateral plan of action at the international level that focuses social dialogue on best practice and on guidelines to influence national law and practice.

The strength of this recommendation is that it does not mandate a policy on member States. It is a non-binding framework. That is the sensible approach, given the obvious problems that member States, and many employers for that matter, have with the content of current instruments and especially with certain aspects of Conventions Nos. 97 and 143, and the supporting Recommendations.

In order to achieve a workable way forward, the Committee resolved early on in its discussions not to debate the rights and wrongs of specific provi-

sions of those instruments; that was sensible. However, from an employer's perspective, the very low ratification rate of these instruments suggests that fundamental problems with them remain. At some point, this institution will need to "bite the bullet" and revise these instruments to render them consistent with the modern world of commerce and industry, and the social reality.

Finally, I join with my colleagues in sincerely thanking all of the Officers of the Committee and the staff from the International Organisation of Employers, the Bureau for Employers' Activities and the ILO. I am especially grateful to our Employer Vice-Chairperson, Mr. Jorge de Regil, whose judgement, patience and humour made many long days and nights worthwhile and fulfilling. I also acknowledge the significant work of the Workers' delegates and Government representatives. I support the adoption of the draft report.

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*Original Spanish: Mr. TERAN (Employers' delegate, Ecuador)*

The Committee on Migrant Workers, at this 92nd Session of the International Labour Conference, was faced with an enormous challenge. It has dealt with a matter in which it was difficult to attain a consensus due to the natural complexity of the issue, for this is a matter which can be analysed from different approaches. Furthermore, the practical difficulties which had to be met were derived from studying draft conclusions which were too extensive. Nonetheless, we have achieved satisfactory results. We have drawn up an objective document – which is before this Assembly – which reflects faithfully the opinions expressed by the social partners and governments in the course of our discussions.

What is most important is that the conclusions are fair and also achievable. The document reflects the point of view, from the outset, of the Employers' group, which stated that an attempt to find ways of settling the problems relating to migration should not necessarily be through trying to get more countries to ratify the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). Rather, it should be by identifying policies and structures which were necessary to ensure organized and well-ordered migration within an appropriate legal framework.

The final suggestions in this document are along these lines, and there are several recommendations to member States, to the ILO and to the others involved in this matter, which, if they are applied, will, we are sure, make it possible to find appropriate solutions to this very ambitious and vitally important objective.

In the text of the document, specific reference is made to the importance that migration has for all countries involved, irrespective of whether they are sending countries, receiving countries or transit countries. As was mentioned by our Employer spokesperson in his statement, with regard to Latin America – which is my own region – it is essential to mention the importance of remittances sent by migrant workers to their families remaining at home. These remittances have gradually become a flow which is becoming increasingly important in our very weak economies. If we did not have these flows the problem of poverty would be even greater. This is why it is so important, as the report

says, to ensure that migration is appropriately regulated.

As long as the major problems faced by a large proportion of migrant workers are not ignored or hidden, particularly of those workers who are in an irregular situation and are, therefore, easy prey for traffickers who are operating outside the law, the document before us is very proactive and sets out proposals and suggests a series of measures to be adopted, both by governments, the social partners themselves, and the ILO. These proposals seek to ensure that policies are implemented which lessen the negative aspects of migration. The basic premise is that everything should be enshrined in law, and the legal principles contained in international law, while at the same time safeguarding national sovereignty so that countries can develop their domestic standards, thereby developing their own migration policies, which must be in accordance with the needs of their labour markets.

In the light of all these facts, we consider that the draft report which we have before us reflects appropriately the views of the Employers' group on this very delicate issue, and we therefore call upon the members of this Conference to adopt the report, thereby giving an appropriate guide for the work of the ILO in the future.

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*Original Spanish: Mr. CESTER BEATOBE (Employers' adviser, Spain)*

It is well known that migratory movements for work purposes are not a new phenomenon, but we need to recognize that in recent years they have increased in intensity, and it is now something which affects nearly all countries in the world, be it as countries of origin, destination or as a place of transit for migrant workers. We can see this from the interesting draft conclusions prepared by the Office for discussion at this 92nd Session of the International Labour Conference, which is very rich in content, but perhaps too long for a discussion which requires a great deal of concentration.

In the European context, our countries have historically been active protagonists in these migratory flows, and today, given the ageing population in many countries of the European Union, and the growing need for labour in certain occupations, the response to the future needs of the labour market can be found in regular migration.

The benefits of regular labour migrations are well known by all. Countries are rejuvenated, their populations are complemented, employers meet their labour requirements, and workers find employment which enables them to develop their future.

For these benefits to occur, and this is the first important point, we need to intensify as far as possible bilateral and multilateral agreements and the exchange of information between countries of origin and destination of migrants, as well as consultations between governments and the social partners of different countries, to ensure that migratory labour flows cover the labour needs of receiving countries and that regular migrant workers find the kind of work they want.

A second important aspect for migration to be effective is the acceleration of administrative procedures so that workers can be regularized and available for work. Entrepreneurs need swift administration to take on workers and workers want to be regularized as soon as possible so that they can work with proper guarantees.

A third important matter for entrepreneurs in the European Union is the necessary distinction that must be made between regular migrants and irregular migrant workers. The regular migrant worker, who has all the administrative permits to reside and work in a country, also enjoys that country's labour rights. Regular immigration is therefore a guarantee of equal treatment with nationals of the receiving country, and is also a guarantee for the employer with respect to the authorities.

Irregular migrants, on the other hand may enjoy fundamental labour rights and decent working conditions, but will never have the same social protection that the regular migrant has. For that reason, it is important that countries should have the proper mechanisms to encourage regular migration and control irregular migration, in order to guarantee the rights of workers and employers as well as instruments to match migration to the need for labour.

In this respect, we need to recognize the right of countries to establish policies to regulate these flows, and entry to a country should not automatically provide the right to regularization of an irregular migrants situation.

Finally, all labour migration policies should be accompanied by measures for social and labour integration of irregular migrants and the possibility to return to their country of origin in due course.

On all these matters, the ILO can and must play an active role, encouraging the exchange of good practice and information between all its members and that is why we think it opportune to support the report which has been drafted by the Committee.

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Ms. COKE-LLOYD (*Employers' adviser and substitute delegate, Jamaica*)

The Jamaican and Caribbean employers unhesitatingly endorse the draft conclusions on a fair deal for migrant workers. Many of the issues raised in that document are immediately familiar to us, given our experience in Jamaica and the wider Caribbean.

We note the statement in paragraph 2 that "a very large part of contemporary migration is directly or indirectly related to the world of work". This fact has particular connotations for us in the Caribbean. Initially, migrants to the First World countries were largely workers from the lower end of the labour market who took advantage of opportunities to perform menial tasks that were shunned by citizens in the First World. This offered opportunities for advancement that were beyond the capacity of the developing countries from which these workers came. The impacts of these initial migration outflows were largely positive for both destination and sending countries. The migrants were able to improve their socio-economic status and that of family members left at home.

Since then, most developing countries have moved on and, certainly in the Caribbean, a large body of educated workers is now contributing to development in the region. The rest of the world has also moved on. The intensified globalization of the last few decades has resulted in a marked shift in the quality of migrants leaving the developing countries; instead of the less-skilled workers of the past, highly skilled, educated workers such as nurses, teachers and other professionals, are being aggressively recruited by the developed countries.

This has proven to be a challenge to Caribbean nations. Some of the challenges relate, firstly, to the cost and volume of training and retraining that Car-

ibbean countries have to contend with as they face the well-documented "brain drain"; secondly, to the difficulty of managing the exodus to ensure that the region's productive capacity is not seriously undermined by the loss of essential skills; thirdly, to the need to create relevant and attractively remunerated jobs in the developing world that will compete with overseas markets in attracting and retaining the best skills.

On the other hand, it has been argued that the net economic impact of migration outflows in developing countries has been greater than the contribution of some of the productive sectors in these countries. In this regard, economists estimate that remittances to the Latin American and Caribbean region represent the second largest source of foreign exchange inflows into the region. Remittances from these migrants have been steadily increasing over the last decade.

It has also been shown that, in many instances, migrants have returned to their homelands, bringing enhanced skills and capital with them, and that developing countries, particularly in the Caribbean, are in a position to capitalize on their domestic capacity to produce high-quality workers by marketing their training programmes overseas as relatively low-cost options.

Clearly, then, migration is not a one-way street that works solely against one country to the benefit of another. Indeed, our employers welcome the two-way flow of labour and support the freedom of movement of skills across borders. In this regard, it is a process that needs the collaborative efforts of developed and developing countries, workers and employers, governments and unions. Without this, the negative impacts of migration will be more manifest in the countries from which migrants originate.

To this end, the comprehensive policy framework being developed by the ILO is a substantial springboard which we can use to determine direction and marshal the resources that are necessary to manage this complex and increasingly global process.

In conclusion, we look forward to this effort of helping to ensure that there will be an alleviation for member States in the circumstances that drive migration and in the provision of technical assistance to member States in the development of labour migration policy and administration.

We also take this opportunity of thanking the Chairperson, Vice-Chairpersons, secretariat and members of the Committee on Migrant Workers for a job well done.

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Ms. PHILLIPS (*Workers' adviser and substitute delegate, Jamaica*)

My comments speak to the controversial areas of the feminization of migration and its impact on women and their families.

International migration is not new – what is new is that many women are migrating alone, without their families. The typical profile of the migrant worker is no longer that of the male breadwinner: instead, an increasing number of migrant workers, since the 1980s, are women, who may be single or married and are often "better educated than men". Today, women migrate alone since they, too, are breadwinners and are responsible for taking care of their ageing relatives and young children back home. However, the types of employment undertaken by them leave them open to exploitation. Of-

ten, their conditions of work do not meet the minimum standards established by the International Labour Organization.

The term feminization is broadly understood to be a positive measure for women, as it allows women to be regarded as actors and contributors to development. Women have always been central to productive and reproductive development. However, women still remain peripheral in policies that address development. Migration therefore is a method of liberation or emancipation used by many women to overcome domination and subservience as required and maintained by the system of patriarchy. Unfortunately, the need for justice and personhood by some women frequently leads to injustices that equate to jumping out of the frying pan and into the fire, as they become victims of unscrupulous persons who recognize their anxiety and exploit their search for a better quality of life.

Women often end up as undocumented, working under appalling conditions and on meagre wages. One reason for this is that there are not many bilateral or multilateral agreements in traditionally female occupations such as nursing and care-giving. Other factors that contribute to women becoming undocumented workers are that domestic work and sex work are often not recognized as work.

In order to improve the situation of female migrants, bilateral and multilateral agreements are needed, like those obtained in the agricultural and construction industries, to allow for the legal migration of women. Regularization procedures have to take into account the special conditions under which female domestic workers and female labour migrants work. These workers often have no formal work contract and no formal contract for housing. Recognition of qualifications would allow women to seek jobs in areas other than the private household sector. Presently, professionals from many sending countries are employed as domestic workers because of non-recognition of their professional qualifications by the receiving countries.

The protection of the rights of migrants and in particular women, who are often at the lowest rung of the migration ladder, cannot be denied by any person who accepts the dignity and right of every person to decent work and a better quality of life. Ratification and implementation of the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), as well as of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, is fundamental for the improvement of the situation in respect of migrant workers, and in particular women migrant workers. I should point out the ILO Conventions are still valid for us workers, and have never been more important. The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up is also indispensable for the improvement of the conditions of migrant workers, and in particular women migrant workers.

The Declaration of Philadelphia particularly included women in the following statement: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity." May I also take this opportunity to remind you of the significance of the ILO's eight

core Conventions that encompass freedom of association and the right to bargain collectively in the ILO tradition of tripartism. Let us all cooperate effectively to implement these Conventions and instruments so that the ILO plays a leading role on migrant workers. Indeed, the conclusions adopted by our Committee and tabled to this Conference do provide a sound basis for a renewed impulse by the ILO, and by the social partners, in efforts to protect migrant workers, women and men.

Finally, it is our fervent hope that the spirit of consensus that prevailed in our Committee will ultimately be achieved in all committees.

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*Original French: Ms. KIPULU KATANI (Workers' adviser, Democratic Republic of Congo)*

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On behalf of Africa, and on behalf of my own country, the Democratic Republic of Congo, faced as we are with the problems of migration, I would like to thank the Committee on Migrant Workers for giving me permission to address this assembly and to put before you an African appeal on behalf of migrant workers.

In Africa, the revival of migratory flows bringing workers towards economically more favourable parts of the continent is giving rise to a series of problems. Linked, in particular, to economic, social or political practices, these difficulties often deprive migrant workers of their fundamental rights. The practices I am referring to are, in part, based on traditional practices which may result in extreme cases of servitude and denial of human dignity. The situation of workers who either choose to go elsewhere, or who are forced to go elsewhere, becomes a problem both with regard to the working conditions and to the displacement, as such, because it entails losing touch with the cultural and social context of the worker's country of origin.

The increase in international mobility and the growth in labour migration is giving rise to problems all over the world. In Africa, in recent years, we have seen a resurgence in violent acts directed against migrant workers and their families, sometimes jeopardizing their fundamental rights and even their physical integrity. In some countries of reception there is xenophobia and forms of racism and exclusion resulting in mass expulsions or in mass denial of the civic rights of long-established migrant workers, thus calling into question the whole process of integration and the process which has made it possible for them to acquire the country of reception's citizenship. This type of behaviour is institutional, and social in origin and is the consequence of the absence of a proper legal framework which would give better treatment to migrants and the absence of a proper legal framework for the rights of migrant workers.

Whereas for a long time, migration in general terms, and involuntary migration, in particular, involved mainly men, at the end of the twentieth century there has been a gradual feminization of migratory flows. Moreover, current migration does not only involve the movement of unskilled workers, increasingly it also involves the brain drain from South to North. Here, too, the phenomenon of feminization of migration is to be seen, especially in the health sector, where a gradual deterioration of living and working conditions linked in particular to reforms in public services is implicated. All over the world, human rights violations are taking on an increasingly female face: poverty, unemployment,

discrimination and inequality, physical and psychological violence, insecurity and aggression, and racism and exclusion. Women who migrate do so in the hope of finding their rights more fully respected. To some extent, the structural adjustment programmes in Africa have turned this continent into an exporter of migrant labour because these structural adjustment programmes devastated public services and dismantled decent and stable employment. This is why we say that international financial institutions bear a heavy responsibility for the phenomenon of migration in Africa.

In order to guarantee and promote the rights of migrants, we are making an urgent appeal to all States which have not yet done so to ratify the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and to do so without further delay. We also ask the tripartite constituents of all countries to support unanimously the principle of establishing multilateral frameworks for migrant workers. With this prospect in mind we expect you to give your unreserved support to the plan of action put to you by the Committee on Migrant Workers.

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Ms. AVENDANO-DENIER (*Workers' adviser, United States*)

I am going to address my comments today to the issues of irregular migration and the struggles of irregular migrant workers, which are critical issues for workers in the United States. As the rich discussion in our Committee showed, these are also issues that are important to trade unions and workers all over the world.

Our Committee's report recognizes that due consideration must be given to the particular problems of irregular migrant workers, and stresses that ILO instruments provide for equal treatment and the respect of basic human rights for all migrant workers, regardless of status. Indeed, we are reminded that ILO instruments apply to all workers, including irregular migrants. Importantly, our Committee unanimously agreed that the ILO will play a crucial role in shaping the future of labour migration, and that ILO instruments are the fundamental building-blocks for a multilateral framework.

I am surprised that several Employer speakers have suggested that the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), are outdated. Arguments in support of this position were not placed before the Committee through the two weeks of our discussions. On the contrary, the Committee unanimously adopted conclusions that reflect the relevance of these Conventions. The specific comments on the Conventions are contained in the following paragraphs of the conclusions and I would like to read them for the record.

In paragraph 11 of our conclusions, all parties unanimously agreed to the following language: "The Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and their accompanying Recommendations Nos. 86 and 151, in particular, call for cooperation among States, and measures to facilitate and control migration movements. They contain the underlying principle of equality of treatment between nationals and regular migrant workers, minimum standards of protection for all migrant workers, and provisions

for participation of social partners in national policy formulation."

All the parties also agreed, as reflected in paragraph 21, that our plan of action shall include "identification of relevant action to be taken for a wider application of international labour standards and other relevant instruments", and, importantly, the Committee unanimously agreed to the conclusions reflected in paragraph 27, which drafts ratification of ILO instruments. In that paragraph the parties agreed to the following language: "ILO Convention No. 97 has been ratified by 42 countries and Convention No. 143 has been ratified by 18 countries. The Office shall undertake to identify the impediments to the ratification of these Conventions, taking into account that labour migration has evolved since their inception, and other relevant instruments have been developed at national, regional and international levels."

Furthermore, all parties agreed to the following language: "The ILO may take appropriate steps to better promote the ratification of Conventions Nos. 97 and 143, and the application of the principles they contain pertaining to the protection of migrant workers."

These ILO Conventions are no more outdated than our Declaration of Independence, which remains the cornerstone of the United States' democracy and was ratified many, many, many years before the ILO was even conceived.

Now, I am going to turn quickly to the issue of irregular migrants. By conservative estimates, there are at least 26 million people in the world today without regular migrant status. In the United States alone, we have between 9 and 11 million people without regular migration status.

Irregular migrant workers are the most poorly paid and poorly treated in the workforce, and they work in the most dangerous occupations. For example, a recent investigation by the Associated Press concluded that one Mexican worker dies on the job in the United States every single day.

Lack of formal status, together with cultural and language barriers, often leave irregular migrant workers open to abuse and exploitation, with negative impacts on all segments of society.

Irregular migration is a great concern for all workers because when one class of workers suffers and is vulnerable to abuse, working conditions for all workers suffer. Irregular migrants do not work in isolation. They work side by side with national workers and regular migrants, both male and female, old and young. When an irregular migrant is exploited, so too is her brother and sister.

As the Workers noted, and as is reflected in paragraph 28 of our conclusions, irregular migrants are people who live alongside us in our communities, but without security.

In the United States, 85 per cent of all migrant families with children are "mixed-status" families. That means that at least one household member has irregular status. So, the vulnerability and exploitation experienced by an irregular migrant in the workplace is not isolated to that worker, but is felt by the entire household.

Irregular migration is also a problem for employers, because many unscrupulous employers use irregular workers to gain an unfair competitive advantage through exploitation.

Studies have shown that irregular migrants are significantly less likely to report workplace injuries,

and that they have no legal channels by which to complain about unpaid wages and other forms of exploitation. They are too often denied their basic rights to freedom of association.

The exploitation of irregular migrants also strains scarce public resources because it allows unscrupulous employers to privatize all the gains of employing irregular migrants whilst shifting the social cost to the public as a whole.

Despite the major contributions that irregular migrant workers make to the economies of host countries and to our communities, regularization remains a controversial issue in the United States and in the rest of the world. Frankly, we are disappointed that governments could not agree on transparent language on this issue.

Regularization is an issue that is being widely debated in the United States at this very moment, and laws are under debate in our country that would create a programme for "earned legalization" of irregular migrants. That means that men and women who have been working hard, paying their taxes and making contributions to their communities would be able, over time, to regularize their status and thus have a chance for decent work.

The task of fixing our broken immigration system is a daunting one and trade unions in the United States are making this task a key component of our struggle to bring justice to the workplace and ensure decent work for all.

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*Original French: Mr. JOUBIER (Workers' adviser, France)*

What a great responsibility it is to be the last speaker.

I welcome the adoption by our tripartite Committee of the conclusions of our general discussion on migrant workers and I have no doubt that the resolution put before this Conference and the report of our work will be adopted by the Government, Employers' and Workers' delegates present.

The role of the ILO is and will continue to be crucial from two points of view. On the one hand, it will have to be able to provide the impetus for the policies and programmes that have a direct impact on the fate of men and women migrants. On the other, the ILO should also be in a position, in the years to come, to influence debates on this issue in other international bodies.

The ILO has to promote the establishment of a multilateral framework and a plan of action for the protection of migrant workers.

Let me now turn to the follow-up to be given to our activities and to the implementation of our resolution.

One of the points underlined in the resolution is the need for the good governance of migrations. In particular, the development of tripartite and bipartite social dialogue should be at the heart of this. There can be no good governance without genuine and constructive social dialogue. In the coming months, Governments should take the initiative to bring the social partners together in order to consider what sort of follow-up should be given to the resolution before us.

In this respect, I would like to emphasize the importance of the role to be played by ministries of labour, employment or social affairs with regard to issues that increasingly tend to be handled by other administrations with different objectives, in particular, by ministries responsible for security matters. It would be desirable for governments to set up

mechanisms and structures, where these do not exist, which allow for an ongoing dialogue on policies dealing with migration.

Apart from the social dialogue at the national level, it would be useful to explore other opportunities for social dialogue on migration, be it at the regional level or in the multilateral forums which until now have not taken into account the key contribution to these issues that can be made by actors with hands-on experience.

Good governance and quality social dialogue based on the representative and independent nature of the partners involved in such dialogue offer the best chance of success in efforts to reach a consensus and to identify common ground for the good management of migratory flows and for the effective protection of men and women migrants.

Freedom of association for all migrant workers also determines the quality and effectiveness of social dialogue at different levels. This is something that is clearly recalled by our Committee.

We should also carefully examine the need to promote the ratification of instruments adopted by the ILO, more specifically Conventions Nos. 97 and 143. I would also like to reiterate that these instruments remain valid and, indeed, some countries are about to ratify them today.

As a Frenchman, may I say that I am most gratified by the pledge given by my own Government to review the question of ratifying Convention No. 143 in the light of the discussions we have had and I hope that other governments will follow suit.

As a worker, may I also highlight the positive role played by the European Union in seeking consensus and a fair compromise in discussions which were sometimes difficult. Tripartite social dialogue is crucial for better cooperation and in finding convergence and synergies between the countries of destination and the countries of origin of migrant workers. It will make it easier to combat poverty and inequality in the countries of origin, which are factors of migration.

Social partnership in the host country will facilitate the integration of migrant workers in firms and must permit the recognition of their rights and, I hope, the development of their skills and qualifications and the recognition of these skills and qualifications. Moreover, I hope that, on this important matter of the recognition of competencies and qualifications, the spirit of consensus which obtained in the Committee on Migrant Workers will also obtain in this august assembly when it comes to adopting other conclusions and instruments.

The implications of migration in Europe and in the European Union are so great that this issue cannot be reduced to a mere economic calculation.

We are talking about the future of millions of people, whether they are migrants or not, whose fate is linked for thousands of social, historic and demographic reasons. The fundamental rights of non-community migrants are and will be of central importance here.

Lastly, I would like to make it clear that the battle to protect the rights of migrant workers is also the battle for democracy. Our Committee mentioned the racism, xenophobia, and prejudice which all too often still constitute the daily lot of these workers. Combating these phenomena also means combating the extreme right-wing groups who have made hatred their political manifesto.

In the future, the ILO will have to be present to fight on all these fronts. In order to spur on the implementation of our resolution, the ILO will have to mobilize resources and beef up its technical assistance in the field of migration. This, in more general terms, raises the question of the ILO's budget. Our responsibilities and the ILO's responsibilities grow with globalization and that is something which also needs to be taken into account.

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*Original Spanish:* The PRESIDENT

As there are no further speakers, I propose that we proceed with the approval of the report of the Committee, which is contained in paragraphs 1-292. If there are no objections, may I take it that the report is approved?

*(The report – paragraphs 1-292 – is approved.)*

**RESOLUTION CONCERNING A FAIR DEAL FOR MIGRANT WORKERS IN A GLOBAL ECONOMY: ADOPTION**

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*Original Spanish:* The PRESIDENT

We shall now proceed with the adoption of the resolution concerning a fair deal for migrant work-

ers in a global economy. If there are no objections, may I take it that the resolution is adopted?

*(The resolution is adopted.)*

**CONCLUSIONS ON A FAIR DEAL FOR MIGRANT WORKERS IN A GLOBAL ECONOMY: ADOPTION**

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*Original Spanish:* The PRESIDENT

We shall now proceed with the adoption of the proposed conclusions on a fair deal for migrant workers in a global economy. If there are no objections, may I take it that the Conclusions are adopted?

*(The Conclusions are adopted.)*

We have now concluded the consideration of the report submitted by the Committee on Migrant Workers. I should like to take this opportunity to thank the Committee, Officers and members, as well as the staff of the secretariat, for the very valuable work that they have carried out.

I now declare the nineteenth sitting closed.

*(The Conference adjourned at 8 p.m.)*



**Vote par appel nominal sur la résolution concernant les arriérés de contributions de l'Iraq**

**Record vote on the Resolution concerning the arrears of contributions of Iraq**

**Votación nominal relativa a la resolución sobre las contribuciones atrasadas de Iraq**

*Pour/For/En Pro: 421*

*Contre/Against/En contra: 12*

*Abstentions/Abstentions/Abstenciones: 12*

*Quorum: 286*

**Pour/For/En Pro: 421**

*Afrique du Sud/South Africa/Sudáfrica*

MDLADLANA, Mr. (G)  
KETTLEDAS, Mr. (G)  
BOTHAS, Mr. (E)  
HOWARD, Mr.(T/W)

*Albanie/Albania*

GOXHI, Mrs. (G)  
THANATI, Mr. (G)

*Algérie/Algeria/Argelia*

RAÏS, M. (G)  
MEGREROUCHE, M. (G)  
NAÏT-ABDELAZIZ, M. (E)  
SIDI SAID, M.(T/W)

*Allemagne/Germany/Alemania*

SCHLEEGER, Mrs. (G)  
KLOTZ, Mr. (G)  
GERSTEIN, Mrs. (E)  
ADAMY, Mr.(T/W)

*Arabie saoudite/Saudi Arabia/Arabia Saudita*

ALHADLAQ, Mr. (G)  
AL-ZAMIL, Mr. (G)  
DAHLAN, Mr. (E)  
RADHWAN, Mr.(T/W)

*Argentine/Argentina*

ROSALES, Sr. (G)  
RIAL, Sra. (G)  
SPAGHI, Sr. (E)  
PETRECCA, Sr.(T/W)

*Australie/Australia*

SAWERS, Mr. (G)  
LLOYD, Mr. (G)  
NOAKES, Mr. (E)  
BURROW, Ms.(T/W)

*Autriche/Austria*

DEMBSHER, Mrs. (G)  
ZWERENZ, Mr. (G)  
TOMEK, Mr. (E)  
BOEGNER, Mrs.(T/W)

*Bahamas*

BROWN, Mr. (G)  
SYMONETTE, Mr. (G)  
ARNETT, Mr. (E)  
HAMILTON, Ms.(T/W)

*Bahreïn/Bahrain/Bahrein*

AL SHAHABI, Mr. (G)  
AMIN MOHAMED, Mr. (G)  
AL KHOOR, Mr. (E)  
ABDULHUSAIN, Mr.(T/W)

*Bangladesh*

MD. ZAFRUL, Mr.(T/W)

*Barbade/Barbados*

LOWE, Mrs. (G)  
FARNUM, Ms. (G)  
TROTMAN, Mr.(T/W)

*Bélarus/Belarus/Belarus*

MALEVICH, Mr. (G)

*Belgique/Belgium/Bélgica*

CLOESEN, M. (G)  
D'HONDT, Mme (G)  
STORM, Mme (E)  
CORTEBEECK, M.(T/W)

*Bénin/Benin*

ONI, M. (G)  
MASSESSI, M. (G)  
AHOUDJI, Mme (E)  
AZOUA, M.(T/W)

*Bosnie-Herzégovine/Bosnia and Herzegovina/Bosnia y Herzegovina*

VUKAŠINOVIĆ, Mr. (G)

*Botswana*

MOJAFI, Mr. (G)  
SEEMULE, Ms. (G)  
DEWAH, Mr. (E)  
BAIPIDI, Mr.(T/W)

*Brésil/Brazil/Brasil*

BRANCO FREITAS, Mr. (G)  
SALDANHA, Mr. (G)  
LIMA GODOY, Mr. (E)  
VACCARI NETO, Mr.(T/W)

*Bulgarie/Bulgaria*

MLADENOV, Mr. (G)  
APOSTOLOV, Mr. (G)  
BEHAR, Mr. (E)  
HRISTOV, Mr.(T/W)

*Burkina Faso*

SEYNOU, M. (G)

*Burundi*

KANKINDI, Mme (G)  
BUDABUDA, M. (E)  
HAJAYANDI, M.(T/W)

*Cambodge/Cambodia/Camboya*

THACH, Mr. (G)  
HOU, Mr. (G)

*Cameroun/Cameroon/Camerin*

NGANTCHA, M. (G)

*Canada/Canadá*

ROBINSON, Ms. (G)  
MACPHEE, Mr. (G)  
WAJDA, Mr. (E)  
BYERS, Ms.(T/W)

*Cap-Vert/Cape Verde/Cabo Verde*

SEMEDO, M. (G)  
DE CARVALHO, M. (G)  
ÉVORA, Mme (E)  
SILVA, M.(T/W)

*République centrafricaine/Central African Republic/República Centrafricana*

ZITONGO-MADENGA, Mme (G)  
YANGO-SINDO, M. (G)

*Chili/Chile*

DEL PICÓ RUBIO, Sr. (G)  
MARTABIT SCAFF, Sr. (G)  
ULLOA ZAMBRANO, Sr.(T/W)

*Chine/China*

LIU, Mr. (G)  
WANG, Mr. (G)  
CHEN, Mr. (E)  
FAN, Mrs.(T/W)

*Chypre/Cyprus/Chipre*

MINA, Ms. (G)  
KAPARTIS, Mr. (E)

*Colombie/Colombia*

ARANGO DE BUITRAGO, Sra. (G)  
FORERO UCROS, Sra. (G)  
ECHAVARRÍA SALDARRIAGA, Sr. (E)  
ALVIS FERNÁNDEZ, Sr.(T/W)

*Congo*

ITOUA-YOCKA, M. (G)  
GALESSAMY-IBOMBOT, M. (E)

*République de Corée/Republic of Korea/República de Corea*

LEE, Mr. (G)  
HONG, Mr. (G)  
KIM, Mr. (E)

*Costa Rica*

CLARAMUNT GARRO, Sra. (G)  
GUILLERMET, Sr. (G)  
AGUILAR ARCE, Sr.(T/W)

*Côte d'Ivoire*

BOULLOU BI DJEHIFFE, M. (G)  
ADIKO, M.(T/W)

*Croatie/Croatia/Croacia*

MARKOTIĆ, Mr. (G)  
TOTTH MUCCIACCIARO, Ms.(T/W)

*Cuba*

LAU VALDÉS, Sra. (G)  
HERNÁNDEZ OLIVA, Sra. (G)  
PARRAS ROJAS, Sr. (E)

*Danemark/Denmark/Dinamarca*

GEDE, Mrs. (G)  
PEDERSEN, Mr. (G)  
DREESEN, Mr. (E)  
SCHMIDT, Mr.(T/W)

*République dominicaine/Dominican Republic/República Dominicana*

NUÑEZ SALCEDO, Sr. (G)  
REYES UREÑA, Sr. (G)

*Egypte/Egypt/Egipto*

GABR, Mrs. (G)  
GHAFFAR, Mr. (G)  
EL AZALI, Mr.(T/W)

*El Salvador*

ESPINAL, Sr. (G)  
AVILA DE PEÑA, Sra. (G)  
RAMÍREZ URBINA, Sr.(T/W)

*Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos*

HUSSAIN, Mr. (G)  
BAMTRAF, Mr. (G)  
MATTAR, Mr. (E)  
AL MARZOOQI, Mr.(T/W)

*Equateur/Ecuador*

ESPINOSA SALAS, Sr. (G)  
TERÁN, Sr. (E)  
YAGUAL, Sr.(T/W)

*Espagne/Spain/España*

LOPEZ-MONIS DE CAVO, Sr. (G)  
BOSCH BESSA, Sr. (G)  
FERRER DUFOL, Sr. (E)  
JIMENEZ, Sr.(T/W)

*Estonie/Estonia*

HINDOV, Mrs. (G)  
LEHT, Ms. (G)  
MERILAI, Ms. (E)  
KALDA, Mr.(T/W)

*Etats-Unis/United States/Estados Unidos*

LEVINE, Mr. (G)  
HAGEN, Mr. (G)  
POTTER, Mr. (E)  
ZELLHOEFER, Mr.(T/W)

*Ethiopie/Ethiopia/Etiopía*

SIAMREGN, Mr. (G)  
MITIKU, Mr. (G)  
YIMER, Mr. (E)  
ALEMAYEHU, Mr.(T/W)

*Ex-Rép. Yougos. de Macédoine/The FYR Macedonia/Ex Rep. Yugoslava de Macedonia*

ZAFIROVSKA, Mrs. (G)

*Fidji/Fiji*

ZINCK, Mr. (G)  
KUNATUBA, Mr. (G)  
POLITINI, Mr. (E)

*Finlande/Finland/Finlandia*

VUORINEN, Ms. (G)  
SALMENPERÄ, Mr. (G)  
HUTTUNEN, Mr. (E)  
AHOKAS, Ms.(T/W)

*France/Francia*

AUER, Mme (G)  
SEGUIN, M. (G)  
ROILAND, Mme (E)  
BRUNEL, Mme(T/W)

*Gabon/Gabón*

NDONG NANG, M. (G)  
MOULOMBA NZIENGUI, M. (G)  
AWASSI ATSIMADJA, Mme (E)

*Ghana*

AMEGEE, Mr. (G)  
ADU- AMANKWAH, Mr.(T/W)

*Grèce/Greece/Grecia*

CHRYSANTHOU, Mme (G)  
CAMBITSIS, M. (G)  
CHARAKAS, M. (E)  
DASSIS, M.(T/W)

*Guatemala*

MANCILLA GARCÍA, Sr.(T/W)

*Guinée/Guinea*

DIALLO, M. (G)

*Honduras*

PONCE, Sr. (G)  
CRUZ RAMIREZ, Sra. (G)

*Hongrie/Hungary/Hungría*

HERCZOG, Mr. (G)  
TÓTH, Mr. (G)  
CSUPORT, Mr. (E)  
TAMÁS, Ms.(T/W)

*Inde/India*

SHENOY, Mr. (G)  
ANAND, Mr. (E)  
DAVE, Mr.(T/W)

*Indonésie/Indonesia*

SULISTYANINGSIH, Ms. (G)  
SITUMORANG, Mr. (G)  
RACHMAN, Mr. (E)  
SILABAN, Mr.(T/W)

*République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán*

RAIESI FARD, Mr. (E)  
SALIMIAN, Mr.(T/W)

*Irlande/Ireland/Irlanda*

PENDER, Mr. (G)  
MCDONNELL, Mr. (G)  
MAGUIRE, Ms. (E)  
LYNCH, Ms.(T/W)

*Islande/Iceland/Islandia*

DAVIDSDOTTIR, Ms. (G)  
KRISTINSSON, Mr. (G)  
MAGNUSSON, Mr. (E)

*Israël/Israel*

WAXMAN, Mr. (G)  
FURMAN, Ms. (G)  
BARAK, Mr. (E)  
KARA, Mr.(T/W)

*Italie/Italy/Italia*

SIMONETTI, M. (G)  
COLOMBO, M. (G)  
SASSO MAZZUFFERI, Mme (E)  
TARTAGLIA, M.(T/W)

*Jamaïque/Jamaica*

SMITH, Mr. (G)  
LEWIS, Mr. (E)  
GOODLEIGH, Mr.(T/W)

*Japon/Japan/Japón*

OSHIMA, Mr. (G)  
HASEGAWA, Mr. (G)  
SUZUKI, Mr. (E)  
NAKAJIMA, Mr.(T/W)

*Jordanie/Jordan/Jordania*

AL-RUSAN, Mr. (G)

*Kenya*

KAVULUDI, Mr. (G)  
MOHAMED, Mrs. (G)  
KONDITI, Mr. (E)  
ATWOLI, Mr.(T/W)

*Kiribati*

AWIRA, Mr. (G)  
AATA, Ms.(T/W)

*Koweït/Kuwait*

AL-MUDADI, Mr. (G)  
RAZZOOQI, Mr. (G)  
AL-RABAH, Mr. (E)

*Lesotho*

MANDORO, Mr. (G)  
MATSOSO, Ms. (G)  
MAKEKA, Mr. (E)  
TYHALI, Mr.(T/W)

*Lettonie/Latvia/Letonia*

KARKLINS, Mr. (G)  
KALNINS, Mr. (G)

*Liban/Lebanon/Libano*

GHORAYEB, M. (G)  
SAAB, Mme (G)  
BALBOUL, M. (E)

*Libéria/Liberia*

WAHYEE, Mr. (G)

*Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia*

ALZWAM, Mr. (G)  
DERBI, Mr. (G)

*Lituanie/Lithuania/Lituania*

JAKUCIONYTE, Ms. (G)  
RIMKUNAS, Mr. (G)  
VASILEVSKIS, Mr. (E)  
BALSIESE, Ms.(T/W)

*Luxembourg/Luxemburgo*

FABER, M. (G)  
SCHOLTUS, Mme (G)  
BERTRAND-SCHAUL, Mme (E)  
PIZZAFERRI, M.(T/W)

*Madagascar*

RASOLOFONIAINARISON, M. (G)  
RANDRIAMAHOLISON, M.(T/W)

*Malaisie/Malaysia/Malasia*

SOH, Mr. (G)  
ISMAIL, Mr. (G)  
SHAMSUDIN, Mr. (E)  
RAMPAK, Mr.(T/W)

*Malawi*

MONONGA, Mr. (G)  
KAMBUTO, Mr. (G)  
SINJANI, Mr. (E)  
KALIMANJIRA, Mr.(T/W)

*Mali/Mali*

DIAKITE, M. (G)  
MAHAMANE, M. (G)  
TRAORE, M. (E)  
DIAKITE, M.(T/W)

*Malte/Malta*

PULLICINO, Mr. (G)  
AZZOPARDI, Mr. (G)  
FARRUGIA, Mr. (E)

*Maroc/Morocco/Marruecos*

HILALE, M. (G)  
CHATER, M. (G)

*Maurice/Mauritius/Mauricio*

ARNACHELLUM, Mr. (G)  
BENYDIN, Mr.(T/W)

*Mauritanie/Mauritania*

OULD MOHAMED LEMINE, M. (G)  
OULD CHEIKHNA, M. (G)  
OULD MOHAMED, M.(T/W)

*Mexique/Mexico/México*

ROVIROSA, Sra. (G)  
SILVA, Sr. (G)  
DE REGIL, Sr. (E)  
ANDERSON, Sra.(T/W)

*Mongolie/Mongolia*

SUKHBAATAR, Mr.(T/W)

*Mozambique*

CAIFAZ, Mr. (G)  
SITOE, Mr.(T/W)

*Namibie/Namibia*

HIVELUAH, Ms. (G)  
SHINGUADJA, Mr. (G)  
SHIPENA, Mr. (E)  
KAPENDA, Mr.(T/W)

*Népal/Nepal*

ACHARYA, Mr. (G)

*Nicaragua*

MARTÍNEZ FLORES, Srta. (G)  
CRUZ TORUÑO, Sr. (G)

*Niger/Niger*

MAÏNA, M. (G)  
HAMADOU, M. (G)  
SANDA, M.(T/W)

*Nigeria/Nigeria*

ADEYEYE-OLUKOYA, Mrs. (G)  
SULAI, Mrs. (G)  
OSHIOMHOLE, Mr.(T/W)

*Norvège/Norway/Noruega*

BRUAAS, Mr. (G)  
VIDNES, Mr. (G)  
LINDEFJELD, Mr. (E)  
THEODORSEN, Ms.(T/W)

*Nouvelle-Zélande/New Zealand/Nueva Zelandia*

BUWALDA, Mr. (G)  
STEFFENS, Ms. (G)  
ARNOLD, Mr. (E)  
BEAUMONT, Ms.(T/W)

*Oman/Omán*

AL-ABDUWANI, Mr. (G)  
AL-AMRI, Mr. (G)  
AL RABAIE, Mr. (E)

*Ouganda/Uganda*

NAGGAGA, Mr. (G)  
OGARAM, Mr. (G)  
PAJOBBO, Mr.(T/W)

*Pakistan/Pakistán*

FARSHORI, Mr. (G)  
TABANI, Mr. (E)  
AHMED, Mr.(T/W)

*Panama/Panamá*

ORTIZ BARBER, Sra. (G)  
ROSAS PÉREZ, Sra. (G)  
AIZPURÚA, Sr. (E)  
PUGA RODRÍGUEZ, Sr.(T/W)

*Papouasie-Nouvelle-Guinée/Papua New Guinea/Papua Nueva Guinea*

JEFFERY, Mr. (E)

*Pays-Bas/Netherlands/Paises Bajos*

NOTEBOOM, Ms. (G)  
BEETS, Mr. (G)  
RENIQUE, Mr. (E)  
ETTY, Mr.(T/W)

*Pérou/Peru/Perú*

BERAUN, Sra. (G)  
VILLAVICENCIO RIOS, Sr. (G)  
GUTIÉRREZ MADUEÑO, Sr.(T/W)

*Philippines/Filipinas*

BALDOZ, Mrs. (G)  
VALERIO, Mr.(T/W)

*Pologne/Poland/Polonia*

LEMIESZEWSKA, Mrs. (G)  
JAKUBOWSKI, Mr. (G)  
BOBROWSKI, Mr. (E)  
WOJCIK, Mr.(T/W)

*Portugal*

RIBEIRO LOPES, M. (G)  
BARCIA, M. (G)  
FERNANDES SALGUEIRO, M. (E)  
GOMES PROENÇA, M.(T/W)

*Qatar*

HAIDAR, Mr. (G)  
AL SHAWI, Mr. (G)  
AL SAIARI, Mr.(T/W)

*République dém. du*

*Congo/Democratic Republic of the Congo/República Democrática del Congo*

MUTOMB MUJING, M. (G)  
SAMBASSI, M. (G)  
MUTABUNGA RUGINA, M. (E)  
MUKALAYI HANGA, M.(T/W)

*Roumanie/Romania/Rumania*

NEMES, M. (G)  
CONSTANTINESCU, Mme (G)  
COSTACHE, M. (E)  
PETCU, M.(T/W)

*Royaume-Uni/United Kingdom/Reino Unido*

BRATTAN, Ms. (G)  
NELLTHORP, Ms. (G)  
LAMBERT, Mr. (E)  
STEYNE, Mr.(T/W)

*Fédération de Russie/Russian Federation/Federación de Rusia*

BAVYKIN, Mr. (G)  
LUBLIN, Mr. (G)

*Rwanda*

KAVARUGANDA, M. (G)  
UKUYEMUYE, M. (G)  
BITWAYIKI, M. (E)  
KAYUMBA, M.(T/W)

*Saint-Marin/San Marino*

BIGI, Mme (G)  
GASPERONI, M. (G)  
GIORGINI, Mme (E)  
PIERMATTEI, M.(T/W)

*Sénégal/Senegal*

DIALLO, Mme (G)  
DIOP, M. (E)  
GUIRO, M.(T/W)

*Serbie et Monténégro/Serbia and Montenegro/Serbia y Montenegro*

BEGOVIĆ, Mr. (G)  
ŠAHOVIĆ, Mr. (G)  
ZAGORAC, Mr. (E)  
ČANAK, Mr.(T/W)

*Seychelles*

MERITON, Mr. (G)  
BAKER, Mr. (G)  
SULTAN-BEAUDOUIN, Mr. (E)  
ROBINSON, Mr.(T/W)

*Singapour/Singapore/Singapur*

NG, Mr. (G)  
YONG, Ms. (G)

*Slovaquie/Slovakia/Eslovaquia*

PETÖCZ, Mr. (G)  
SEPTÁKOVÁ, Ms. (G)  
BORGULA, Mr. (E)  
MESTANOVÁ, Mrs.(T/W)

*Slovénie/Slovenia/Eslovenia*

ZIDAR, Mr. (G)  
RIHAR BAJUK, Ms. (G)  
JEREB, Ms. (E)  
KRZIŠNIK, Mr.(T/W)

*Soudan/Sudan/Sudán*

SHENTOUR, Mr. (G)  
ELHASSAN, Mr. (G)  
ELGURASHI, Mr. (E)  
GHANDOUR, Mr.(T/W)

*Sri Lanka*

GAMMAMPILA DON, Mr. (G)  
MADIHAHEWA, Mr. (G)  
DASANAYAKE, Mr. (E)  
DEVENDRA, Mr.(T/W)

*Suède/Sweden/Suecia*

WIKLUND, Ms. (G)  
JONZON, Mr. (G)  
LAURENT, Ms. (E)  
BENGTSSON, Mr.(T/W)

*Suisse/Switzerland/Suiza*

ALVESALO-ROESCH, Mme (G)  
ELMIGER, M. (G)  
PLASSARD, M. (E)  
VIGNE, M.(T/W)

*Suriname*

PIROE, Mr. (G)  
VAN OMMEREN, Mr. (E)

*République arabe syrienne/Syrian Arab Republic/República Árabe Siria*  
IBRAHIM, M. (G)  
AKASHE, M. (G)  
MOHAMMAD NASSER, M. (E)  
AZOZ, M.(T/W)

*République-Unie de Tanzanie/United Republic of Tanzania/República Unida de Tanzania*  
RWEYEMAMU, Mrs. (G)  
SITTA, Mrs.(T/W)

*Tchad/Chad*  
ABDERAHIM, M. (G)  
DJEGUEDEM, M. (G)  
DJIBRINE, M.(T/W)

*République tchèque/Czech Republic/República Checa*  
SAJDA, Mr. (G)  
SLABÝ, Mr. (G)  
DRBALOVÁ, Mrs. (E)  
BAUEROVÁ, Mrs.(T/W)

*Thaïlande/Thailand/Tailandia*  
RUANGSUWAN, Mr. (G)  
SATJIPANON, Mr. (G)  
ROMCHATTHONG, Mrs. (E)  
TECHATEERAVAT, Mr.(T/W)

*Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tabago*  
RAMNARINE, Mr. (G)  
SINGH, Ms. (G)  
HILTON CLARKE, Mr. (E)

*Tunisie/Tunisia/Túnez*  
MANSOUR, M. (G)  
CHOUBA, Mme (G)  
M'KAISSI, M. (E)  
TRABELSI, M.(T/W)

*Turquie/Turkey/Turquía*  
GENC, Mr. (G)  
OYMAN, Mr. (G)  
CENTEL, Mr. (E)

*Ukraine/Ucrania*  
YAMPOLSKYI, Mr. (G)  
BELASHOV, Mr. (G)  
ZHADAN, Mr. (E)

*Uruguay*  
LAGARMILLA, Sra. (G)  
DONO, Sra. (G)  
FOSTIK, Sr. (E)

*Venezuela*  
DE ARBELOA, Sr. (E)

*Viet Nam*  
PHAM, Mr. (G)  
VU, Mr. (G)  
VI, Mrs. (E)  
VO, Mr.(T/W)

*Yémen/Yemen*  
AL-FAYSALI, Mr. (G)

*Zimbabwe*  
MUSEKA, Mr. (G)

*Guinée équatoriale/Equatorial Guinea/Guinea Ecuatorial*  
ESUÁ NKÓ, Sr. (G)  
ASAMA NTUGU, Sr. (G)  
MATZEN MAKOSO, Sr. (E)

*Nicaragua*  
GONZÁLEZ GAITÁN, Sr.(T/W)

*Swaziland/Swazilandia*  
NKHAMBULE, Mr. (G)  
MAPHANGA, Mrs. (E)

*Uruguay*  
FERNÁNDEZ, Sr.(T/W)

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**Contre/Against/En  
contra: 12**

*Angola*  
TIAGO GOMES, M. (E)  
PEDRO GARCIA, Mme(T/W)

*Burkina Faso*  
NAMA, M.(T/W)

*Cuba*  
GONZÁLEZ GONZÁLEZ, Sr.(T/W)

*Kiribati*  
KABUBUKE, Mr. (E)

*Myanmar*  
THAN, Mr. (G)  
NYUNT, Mr. (G)

*République-Unie de Tanzanie/United Republic of Tanzania/República Unida de Tanzania*  
KABYEMERA, Mr. (E)

*Venezuela*  
DORADO CANO, Sr. (G)  
MOLINA, Sr. (G)  
INFANTE, Sr.(T/W)

*Zambie/Zambia*  
HIKAUMBA, Mr.(T/W)

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**Abstentions/Abstentions/  
Abstenciones: 12**

*Angola*  
BONGA, M. (G)  
N'GOVE LUSSOKE, M. (G)

*Bolivie/Bolivia*  
RODRÍGUEZ SAN MARTÍN, Sr. (G)

*Guatemala*  
CHAVEZ BIETTI, Sra. (G)  
GORDILLO GALINDO, Sr. (G)



**Vote par appel nominal sur la résolution concernant les arriérés de contributions du Paraguay**

**Record vote on the Resolution concerning the arrears of contributions of Paraguay**

**Votación nominal relativa a la resolución sobre las contribuciones atrasadas de Paraguay**

*Pour/For/En Pro: 419*

*Contre/Against/En contra: 11*

*Abstentions/Abstentions/Abstenciones: 15*

*Quorum: 286*

**Pour/For/En Pro: 419**

*Afrique du Sud/South Africa/Sudáfrica*

MDLADLANA, Mr. (G)  
KETTLEDAS, Mr. (G)  
BOTHA, Mr. (E)  
HOWARD, Mr.(T/W)

*Albanie/Albania*

GOXHI, Mrs. (G)  
THANATI, Mr. (G)

*Algérie/Algeria/Argelia*

RAÏS, M. (G)  
MEGREROUCHE, M. (G)  
NAÏT-ABDELAZIZ, M. (E)  
SIDI SAID, M.(T/W)

*Allemagne/Germany/Alemania*

SCHLEEGER, Mrs. (G)  
KLOTZ, Mr. (G)  
GERSTEIN, Mrs. (E)  
ADAMY, Mr.(T/W)

*Arabie saoudite/Saudi Arabia/Arabia Saudita*

ALHADLAQ, Mr. (G)  
AL-ZAMIL, Mr. (G)  
DAHLAN, Mr. (E)  
RADHWAN, Mr.(T/W)

*Argentine/Argentina*

ROSALES, Sr. (G)  
RIAL, Sra. (G)  
SPAGHI, Sr. (E)  
PETRECCA, Sr.(T/W)

*Australie/Australia*

SAWERS, Mr. (G)  
LLOYD, Mr. (G)  
NOAKES, Mr. (E)  
BURROW, Ms.(T/W)

*Autriche/Austria*

DEMBSHER, Mrs. (G)  
ZWERENZ, Mr. (G)  
TOMEK, Mr. (E)  
BOEGNER, Mrs.(T/W)

*Bahamas*

BROWN, Mr. (G)  
SYMONETTE, Mr. (G)  
ARNETT, Mr. (E)  
HAMILTON, Ms.(T/W)

*Bahreïn/Bahrain/Bahreïn*

AL SHAHABI, Mr. (G)  
AMIN MOHAMED, Mr. (G)  
AL KHOOR, Mr. (E)  
ABDULHUSAIN, Mr.(T/W)

*Bangladesh*

MD. ZAFRUL, Mr.(T/W)

*Barbade/Barbados*

LOWE, Mrs. (G)  
FARNUM, Ms. (G)  
TROTMAN, Mr.(T/W)

*Bélarus/Belarus/Belariús*

MALEVICH, Mr. (G)

*Belgique/Belgium/Bélgica*

CLOESEN, M. (G)  
D'HONDT, Mme (G)  
STORM, Mme (E)  
CORTEBEECK, M.(T/W)

*Bénin/Benin*

ONI, M. (G)  
MASSESSI, M. (G)  
AHOUDJI, Mme (E)  
AZOUA, M.(T/W)

*Bolivie/Bolivia*

RODRÍGUEZ SAN MARTÍN, Sr. (G)

*Bosnie-Herzégovine/Bosnia and Herzegovina/Bosnia y Herzegovina*

VUKAŠINOVIĆ, Mr. (G)

*Botswana*

DEWAH, Mr. (E)  
BAIPIDI, Mr.(T/W)

*Brésil/Brazil/Brasil*

BRANCO FREITAS, Mr. (G)  
SALDANHA, Mr. (G)  
LIMA GODOY, Mr. (E)  
VACCARI NETO, Mr.(T/W)

*Bulgarie/Bulgaria*

MLADENOV, Mr. (G)  
APOSTOLOV, Mr. (G)  
BEHAR, Mr. (E)  
HRISTOV, Mr.(T/W)

*Burkina Faso*

SEYNOU, M. (G)

*Burundi*

KANKINDI, Mme (G)  
BUDABUDA, M. (E)  
HAJAYANDI, M.(T/W)

*Cambodge/Cambodia/Camboya*

THACH, Mr. (G)  
HOU, Mr. (G)

*Cameroun/Cameroon/Camerún*

NGANTCHA, M. (G)

*Canada/Canadá*

ROBINSON, Ms. (G)  
MACPHEE, Mr. (G)  
WAJDA, Mr. (E)  
BYERS, Ms.(T/W)

*Cap-Vert/Cape Verde/Cabo Verde*

SEMEDO, M. (G)  
DE CARVALHO, M. (G)  
ÉVORA, Mme (E)  
SILVA, M.(T/W)

*République centrafricaine/Central African Republic/República Centrafricana*

YANGO-SINDO, M. (G)

*Chili/Chile*

DEL PICÓ RUBIO, Sr. (G)  
MARTABIT SCAFF, Sr. (G)  
ULLOA ZAMBRANO, Sr.(T/W)

*Chine/China*

LIU, Mr. (G)  
WANG, Mr. (G)  
CHEN, Mr. (E)  
FAN, Mrs.(T/W)

*Chypre/Cyprus/Chipre*

MINA, Ms. (G)  
KAPARTIS, Mr. (E)

*Colombie/Colombia*

ARANGO DE BUITRAGO, Sra. (G)  
FORERO UCROS, Sra. (G)  
ECHAVARRÍA SALDARRIAGA, Sr. (E)  
ALVIS FERNÁNDEZ, Sr.(T/W)

*Congo*

ITOUA-YOCKA, M. (G)  
GALESSAMY-IBOMBOT, M. (E)

*République de Corée/Republic of Korea/República de Corea*

LEE, Mr. (G)  
HONG, Mr. (G)  
KIM, Mr. (E)

*Costa Rica*

CLARAMUNT GARRO, Sra. (G)  
GUILLERMET, Sr. (G)  
AGUILAR ARCE, Sr.(T/W)

*Côte d'Ivoire*

BOULLOU BI DJEHIFFE, M. (G)  
ADIKO, M.(T/W)

*Croatie/Croatia/Croacia*

MARKOTIĆ, Mr. (G)  
TOTH MUCCIACCIARO, Ms.(T/W)

*Cuba*

LAU VALDÉS, Sra. (G)  
HERNÁNDEZ OLIVA, Sra. (G)  
PARRAS ROJAS, Sr. (E)  
GONZÁLEZ GONZÁLEZ, Sr.(T/W)

*Danemark/Denmark/Dinamarca*

GEDE, Mrs. (G)  
PEDERSEN, Mr. (G)  
DREESEN, Mr. (E)  
SCHMIDT, Mr.(T/W)

*République dominicaine/Dominican Republic/República Dominicana*

NUÑEZ SALCEDO, Sr. (G)  
REYES UREÑA, Sr. (G)

*Egypte/Egypt/Egipto*

GABR, Mrs. (G)  
GHAFFAR, Mr. (G)  
EL AZALI, Mr.(T/W)

*El Salvador*

ESPINAL, Sr. (G)  
AVILA DE PEÑA, Sra. (G)  
RAMÍREZ URBINA, Sr.(T/W)

*Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos*

HUSSAIN, Mr. (G)  
BAMTRAF, Mr. (G)  
MATTAR, Mr. (E)  
AL MARZOOQI, Mr.(T/W)

*Equateur/Ecuador*

ESPINOSA SALAS, Sr. (G)  
TERÁN, Sr. (E)  
YAGUAL, Sr.(T/W)

*Espagne/Spain/España*

LOPEZ-MONIS DE CAVO, Sr. (G)  
BOSCH BESSA, Sr. (G)  
FERRER DUFOL, Sr. (E)  
JIMENEZ, Sr.(T/W)

*Estonie/Estonia*

HINDOV, Mrs. (G)  
LEHT, Ms. (G)  
MERILAI, Ms. (E)  
KALDA, Mr.(T/W)

*Etats-Unis/United States/Estados Unidos*

LEVINE, Mr. (G)  
HAGEN, Mr. (G)  
POTTER, Mr. (E)  
ZELLHOEFER, Mr.(T/W)

*Ethiopie/Ethiopia/Etiopía*

SIAMREGN, Mr. (G)  
MITIKU, Mr. (G)  
YIMER, Mr. (E)  
ALEMAYEHU, Mr.(T/W)

*Ex-Rép. Yougos. de Macédoine/The FYR Macedonia/Ex Rep. Yugoslava de Macedonia*

ZAFIROVSKA, Mrs. (G)

*Fidji/Fiji*

ZINCK, Mr. (G)  
KUNATUBA, Mr. (G)  
POLITINI, Mr. (E)

*Finlande/Finland/Finlandia*

VUORINEN, Ms. (G)  
SALMENPERÄ, Mr. (G)  
HUTTUNEN, Mr. (E)  
AHOKAS, Ms.(T/W)

*France/Francia*

AUER, Mme (G)  
SEGUIN, M. (G)  
ROILAND, Mme (E)  
BRUNEL, Mme(T/W)

*Gabon/Gabón*

NDONG NANG, M. (G)  
MOULOMBA NZIENGUI, M. (G)  
AWASSI ATSIMADJA, Mme (E)

*Ghana*

AMEGEE, Mr. (G)  
ADU- AMANKWAH, Mr.(T/W)

*Grèce/Greece/Grecia*

CHRYSANTHOU, Mme (G)  
CAMBITSIS, M. (G)  
CHARAKAS, M. (E)  
DASSIS, M.(T/W)

*Guatemala*

CHAVEZ BIETTI, Sra. (G)  
GORDILLO GALINDO, Sr. (G)  
MANCILLA GARCÍA, Sr.(T/W)

*Guinée/Guinea*

DIALLO, M. (G)

*Honduras*

PONCE, Sr. (G)

CRUZ RAMIREZ, Sra. (G)

*Hongrie/Hungary/Hungria*

HERCZOG, Mr. (G)

TÓTH, Mr. (G)

CSUPORT, Mr. (E)

TAMÁS, Ms.(T/W)

*Inde/India*

SHENOY, Mr. (G)

ANAND, Mr. (E)

DAVE, Mr.(T/W)

*Indonésie/Indonesia*

SILABAN, Mr.(T/W)

*République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán*

RAIESI FARD, Mr. (E)

SALIMIAN, Mr.(T/W)

*Irlande/Ireland/Irlanda*

PENDER, Mr. (G)

MCDONNELL, Mr. (G)

MAGUIRE, Ms. (E)

LYNCH, Ms.(T/W)

*Islande/Iceland/Islandia*

DAVIDSDOTTIR, Ms. (G)

KRISTINSSON, Mr. (G)

MAGNUSSON, Mr. (E)

*Israël/Israel*

WAXMAN, Mr. (G)

FURMAN, Ms. (G)

BARAK, Mr. (E)

KARA, Mr.(T/W)

*Italie/Italy/Italia*

SIMONETTI, M. (G)

COLOMBO, M. (G)

SASSO MAZZUFFERI, Mme (E)

TARTAGLIA, M.(T/W)

*Japon/Japan/Japón*

OSHIMA, Mr. (G)

HASEGAWA, Mr. (G)

SUZUKI, Mr. (E)

NAKAJIMA, Mr.(T/W)

*Jordanie/Jordan/Jordania*

AL-RUSAN, Mr. (G)

*Kenya*

KAVULUDI, Mr. (G)

MOHAMED, Mrs. (G)

KONDITI, Mr. (E)

ATWOLI, Mr.(T/W)

*Kiribati*

AWIRA, Mr. (G)

AATA, Ms.(T/W)

*Koweït/Kuwait*

AL-MUDADI, Mr. (G)

RAZZOOQI, Mr. (G)

AL-RABAH, Mr. (E)

*Lesotho*

MANDORO, Mr. (G)

MATSOSO, Ms. (G)

MAKEKA, Mr. (E)

TYHALI, Mr.(T/W)

*Lettonie/Latvia/Letonia*

KARKLINS, Mr. (G)

KALNINS, Mr. (G)

*Liban/Lebanon/Libano*

GHORAYEB, M. (G)

SAAB, Mme (G)

BALBOUL, M. (E)

*Libéria/Liberia*

WAHYEE, Mr. (G)

*Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia*

ALZWAM, Mr. (G)

DERBI, Mr. (G)

*Lituanie/Lithuania/Lituania*

JAKUCIONYTE, Ms. (G)

RIMKUNAS, Mr. (G)

VASILEVSKIS, Mr. (E)

BALSIENE, Ms.(T/W)

*Luxembourg/Luxemburgo*

FABER, M. (G)

SCHOLTUS, Mme (G)

BERTRAND-SCHAUL, Mme (E)

PIZZAFERRI, M.(T/W)

*Madagascar*

RASOFOFONAINARISON, M. (G)

RANDRIAMAHOLISON, M.(T/W)

*Malaisie/Malaysia/Malasia*

SOH, Mr. (G)

ISMAIL, Mr. (G)

SHAMSUDIN, Mr. (E)

RAMPAK, Mr.(T/W)

*Malawi*

MONONGA, Mr. (G)

KAMBUTO, Mr. (G)

SINJANI, Mr. (E)

KALIMANJIRA, Mr.(T/W)

*Mali/Mali*

DIAKITE, M. (G)

MAHAMANE, M. (G)

TRAORE, M. (E)

DIAKITE, M.(T/W)

*Malte/Malta*

PULLICINO, Mr. (G)

AZZOPARDI, Mr. (G)

FARRUGIA, Mr. (E)

*Maroc/Morocco/Marruecos*

HILAËLE, M. (G)

CHATER, M. (G)

*Maurice/Mauritius/Mauricio*

ARNACHELLUM, Mr. (G)

BENYDIN, Mr.(T/W)

*Mauritanie/Mauritania*

OULD MOHAMED LEMINE, M. (G)

OULD CHEIKHNA, M. (G)

OULD MOHAMED, M.(T/W)

*Mexique/Mexico/México*

ROVIROSA, Sra. (G)

SILVA, Sr. (G)

DE REGIL, Sr. (E)

ANDERSON, Sra.(T/W)

*Mongolie/Mongolia*

SUKHBAATAR, Mr.(T/W)

*Mozambique*

CAIFAZ, Mr. (G)

SITOE, Mr.(T/W)

*Namibie/Namibia*

HIVELUAH, Ms. (G)

SHINGUADJA, Mr. (G)

KAPENDA, Mr.(T/W)

*Népal/Nepal*

ACHARYA, Mr. (G)

*Nicaragua*

MARTÍNEZ FLORES, Srta. (G)

CRUZ TORUÑO, Sr. (G)

*Niger/Niger*

MAÏNA, M. (G)

HAMADOU, M. (G)

SANDA, M.(T/W)

*Nigéria/Nigeria*

ADEYEYE-OLUKOYA, Mrs. (G)  
SULAI, Mrs. (G)  
OSHIOMHOLE, Mr.(T/W)

*Norvège/Norway/Noruega*

BRUAAS, Mr. (G)  
VIDNES, Mr. (G)  
LINDEFJELD, Mr. (E)  
THEODORSEN, Ms.(T/W)

*Nouvelle-Zélande/New Zealand/Nueva Zelandia*

BUWALDA, Mr. (G)  
STEFFENS, Ms. (G)  
BEAUMONT, Ms.(T/W)

*Oman/Omán*

AL-ABDUWANI, Mr. (G)  
AL-AMRI, Mr. (G)  
AL RABAIE, Mr. (E)

*Ouganda/Uganda*

NAGGAGA, Mr. (G)  
OGARAM, Mr. (G)  
PAJOBBO, Mr.(T/W)

*Pakistan/Pakistán*

FARSHORI, Mr. (G)  
TABANI, Mr. (E)  
AHMED, Mr.(T/W)

*Panama/Panamá*

ORTIZ BARBER, Sra. (G)  
ROSAS PÉREZ, Sra. (G)  
AIZPURÚA, Sr. (E)  
PUGA RODRÍGUEZ, Sr.(T/W)

*Pays-Bas/Netherlands/Paises Bajos*

NOTEBOOM, Ms. (G)  
BEETS, Mr. (G)  
RENIQUE, Mr. (E)  
ETTY, Mr.(T/W)

*Pérou/Peru/Perú*

BERAUN, Sra. (G)  
VILLAVICENCIO RIOS, Sr. (G)  
GUTIÉRREZ MADUEÑO, Sr.(T/W)

*Philippines/Filipinas*

BALDOZ, Mrs. (G)  
VALERIO, Mr.(T/W)

*Pologne/Poland/Polonia*

LEMIESZEWSKA, Mrs. (G)  
JAKUBOWSKI, Mr. (G)  
BOBROWSKI, Mr. (E)  
WOJCIK, Mr.(T/W)

*Portugal*

RIBEIRO LOPES, M. (G)  
BARCIA, M. (G)  
FERNANDES SALGUEIRO, M. (E)  
GOMES PROENÇA, M.(T/W)

*Qatar*

HAIDAR, Mr. (G)  
AL SHAWI, Mr. (G)  
AL SAIARI, Mr.(T/W)

*République dém. du Congo/Democratic Republic of the Congo/República Democrática del Congo*

MUTOMB MUJING, M. (G)  
SAMBASSI, M. (G)  
MUTABUNGA RUGINA, M. (E)  
MUKALAYI HANGA, M.(T/W)

*Roumanie/Romania/Rumania*

NEMES, M. (G)  
CONSTANTINESCU, Mme (G)  
COSTACHE, M. (E)  
PETCU, M.(T/W)

*Royaume-Uni/United Kingdom/Reino Unido*

BRATTAN, Ms. (G)  
NELLTHORP, Ms. (G)  
LAMBERT, Mr. (E)  
STEYNE, Mr.(T/W)

*Fédération de Russie/Russian Federation/Federación de Rusia*

BAVYKIN, Mr. (G)  
LUBLIN, Mr. (G)

*Rwanda*

KAVARUGANDA, M. (G)  
UKUYEMUYE, M. (G)  
BITWAYIKI, M. (E)  
KAYUMBA, M.(T/W)

*Saint-Marin/San Marino*

BIGI, Mme (G)  
GASPERONI, M. (G)  
GIORGINI, Mme (E)  
PIERMATTEI, M.(T/W)

*Sénégal/Senegal*

DIALLO, Mme (G)  
DIOP, M. (E)  
GUIRO, M.(T/W)

*Serbie et Monténégro/Serbia and Montenegro/Serbia y Montenegro*

BEGOVIĆ, Mr. (G)  
ŠAHOVIĆ, Mr. (G)  
ZAGORAC, Mr. (E)  
ČANAK, Mr.(T/W)

*Seychelles*

MERITON, Mr. (G)  
BAKER, Mr. (G)  
SULTAN-BEAUDOIN, Mr. (E)  
ROBINSON, Mr.(T/W)

*Singapour/Singapore/Singapur*

NG, Mr. (G)  
YONG, Ms. (G)

*Slovaquie/Slovakia/Eslovaquia*

PETÖCZ, Mr. (G)  
SEPTÁKOVÁ, Ms. (G)  
BORGULA, Mr. (E)  
MESTANOVÁ, Mrs.(T/W)

*Slovénie/Slovenia/Eslovenia*

ZIDAR, Mr. (G)  
RIHAR BAJUK, Ms. (G)  
JEREB, Ms. (E)  
KRZIŠNIK, Mr.(T/W)

*Soudan/Sudan/Sudán*

SHENTOUR, Mr. (G)  
ELHASSAN, Mr. (G)  
ELGURASHI, Mr. (E)  
GHANDOUR, Mr.(T/W)

*Sri Lanka*

GAMMAMPILA DON, Mr. (G)  
MADIHAHEWA, Mr. (G)  
DASANAYAKE, Mr. (E)  
DEVENDRA, Mr.(T/W)

*Suède/Sweden/Suecia*

WIKLUND, Ms. (G)  
JONZON, Mr. (G)  
LAURENT, Ms. (E)  
BENGTSSON, Mr.(T/W)

*Suisse/Switzerland/Suiza*

ALVESALO-ROESCH, Mme (G)  
ELMIGER, M. (G)  
PLASSARD, M. (E)  
VIGNE, M.(T/W)

*Suriname*

PIROE, Mr. (G)  
VAN OMMEREN, Mr. (E)

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

IBRAHIM, M. (G)  
AKASHE, M. (G)  
MOHAMMAD NASSER, M. (E)  
AZOZ, M.(T/W)

*République-Unie de Tanzanie/United Republic of Tanzania/República Unida de Tanzania*  
RWEYEMAMU, Mrs. (G)  
KABYEMERA, Mr. (E)  
SITTA, Mrs.(T/W)

*Tchad/Chad*  
ABDERAHIM, M. (G)  
DJEGUEDEM, M. (G)  
DJIBRINE, M.(T/W)

*République tchèque/Czech Republic/República Checa*  
SAJDA, Mr. (G)  
SLABÝ, Mr. (G)  
DRBALOVÁ, Mrs. (E)  
BAUEROVÁ, Mrs.(T/W)

*Thaïlande/Thailand/Tailandia*  
RUANGSUWAN, Mr. (G)  
SATJIPANON, Mr. (G)  
ROMCHATTHONG, Mrs. (E)  
TECHATEERAVAT, Mr.(T/W)

*Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tabago*  
RAMNARINE, Mr. (G)  
SINGH, Ms. (G)  
HILTON CLARKE, Mr. (E)

*Tunisie/Tunisia/Túnez*  
MANSOUR, M. (G)  
CHOUBA, Mme (G)  
M'KAISSI, M. (E)  
TRABELSI, M.(T/W)

*Turquie/Turkey/Turquía*  
GENC, Mr. (G)  
OYMAN, Mr. (G)  
CENTEL, Mr. (E)

*Ukraine/Ucrania*  
YAMPOLSKYI, Mr. (G)  
BELASHOV, Mr. (G)  
ZHADAN, Mr. (E)

*Uruguay*  
LAGARMILLA, Sra. (G)  
DONO, Sra. (G)  
FOSTIK, Sr. (E)  
FERNÁNDEZ, Sr.(T/W)

*Venezuela*  
DORADO CANO, Sr. (G)  
MOLINA, Sr. (G)  
DE ARBELOA, Sr. (E)  
INFANTE, Sr.(T/W)

*Viet Nam*  
PHAM, Mr. (G)  
VU, Mr. (G)  
VI, Mrs. (E)  
VO, Mr.(T/W)

*Yémen/Yemen*  
AL-FAYSALI, Mr. (G)

*Zambie/Zambia*  
HIKAUMBA, Mr.(T/W)

*Zimbabwe*  
MUSEKA, Mr. (G)

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**Contre/Against/En  
contra: 11**

*Angola*  
TIAGO GOMES, M. (E)  
PEDRO GARCIA, Mme(T/W)

*Burkina Faso*  
NAMA, M.(T/W)

*Jamaïque/Jamaica*  
SMITH, Mr. (G)  
LEWIS, Mr. (E)  
GOODLEIGH, Mr.(T/W)

*Kiribati*  
KABUBUKE, Mr. (E)

*Myanmar*  
THAN, Mr. (G)  
NYUNT, Mr. (G)

*Namibie/Namibia*  
SHIPENA, Mr. (E)

*Nouvelle-Zélande/New Zealand/Nueva Zelandia*  
ARNOLD, Mr. (E)

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**Abstentions/Abstentions/  
Abstenciones: 15**

*Angola*  
BONGA, M. (G)  
N'GOVE LUSSOKE, M. (G)

*Botswana*  
MOJAFI, Mr. (G)  
SEEMULE, Ms. (G)

*République centrafricaine/Central African Republic/República Centrafricana*  
ZITONGO-MADENGA, Mme (G)

*Guinée équatoriale/Equatorial Guinea/Guinea Ecuatorial*  
ESUÁ NKÓ, Sr. (G)  
ASAMA NTUGU, Sr. (G)  
MATZEN MAKOSO, Sr. (E)

*Indonésie/Indonesia*  
SULISTYANINGSIH, Ms. (G)  
SITUMORANG, Mr. (G)  
RACHMAN, Mr. (E)

*Nicaragua*  
GONZÁLEZ GAITÁN, Sr.(T/W)

*Papouasie-Nouvelle-Guinée/Papua New Guinea/Papua Nueva Guinea*  
JEFFERY, Mr. (E)

*Swaziland/Swazilandia*  
NKHAMBULE, Mr. (G)  
MAPHANGA, Mrs. (E)



**Vote final par appel nominal sur le retrait des recommandations nos.  
2, 12, 16, 18, 21, 26, 32, 33, 34, 36, 43, 46, 58, 70, 74, 96.**

**Final record vote relating to the withdrawal of Recommendations Nos.  
2, 12, 16, 18, 21, 26, 32, 33, 34, 36, 43, 46, 58, 70, 74, 96.**

**Votación final nominal sobre el retiro de las recomendaciones núms.  
2, 12, 16, 18, 21, 26, 32, 33, 34, 36, 43, 46, 58, 70, 74, 96.**

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***Pour/For/En Pro: 437***  
***Contre/Against/En contra: 1***  
***Quorum: 290***

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**Pour/For/En Pro: 437**

*Afrique du Sud/South Africa/Sudáfrica*

MDLADLANA, Mr. (G)  
KETTLEDAS, Mr. (G)  
BOTHAM, Mr. (E)  
HOWARD, Mr.(T/W)

*Albanie/Albania*

GOXHI, Mrs. (G)  
THANATI, Mr. (G)

*Algérie/Algeria/Argelia*

RAÏS, M. (G)  
MEGREROUCHE, M. (G)  
NAÏT-ABDELAZIZ, M. (E)  
SIDI SAID, M.(T/W)

*Allemagne/Germany/Alemania*

SCHLEEGER, Mrs. (G)  
KLOTZ, Mr. (G)  
GERSTEIN, Mrs. (E)  
ADAMY, Mr.(T/W)

*Angola*

BONGA, M. (G)  
N'GOVE LUSSOKE, M. (G)  
TIAGO GOMES, M. (E)  
PEDRO GARCIA, Mme(T/W)

*Arabie saoudite/Saudi Arabia/Arabia Saudita*

ALHADLAQ, Mr. (G)  
AL-ZAMIL, Mr. (G)  
DAHLAN, Mr. (E)  
RADHWAN, Mr.(T/W)

*Argentine/Argentina*

ROSALES, Sr. (G)  
RIAL, Sra. (G)  
SPAGHI, Sr. (E)  
PETRECCA, Sr.(T/W)

*Australie/Australia*

SAWERS, Mr. (G)  
LLOYD, Mr. (G)  
NOAKES, Mr. (E)  
BURROW, Ms.(T/W)

*Autriche/Austria*

DEMBSHER, Mrs. (G)  
ZWERENZ, Mr. (G)  
TOMEK, Mr. (E)  
BOEGNER, Mrs.(T/W)

*Bahamas*

BROWN, Mr. (G)  
ARNETT, Mr. (E)

*Bahreïn/Bahrain/Bahreïn*

AL SHAHABI, Mr. (G)  
AL-FAIHANI, Mr. (G)  
AL KHOOR, Mr. (E)  
ABDULHUSAIN, Mr.(T/W)

*Bangladesh*

MD. ZAFRUL, Mr.(T/W)

*Barbade/Barbados*

LOWE, Mrs. (G)  
FARNUM, Ms. (G)  
TROTMAN, Mr.(T/W)

*Bélarus/Belarus/Belarus*

MALEVICH, Mr. (G)

*Belgique/Belgium/Bélgica*

CLOESEN, M. (G)  
D'HONDT, Mme (G)  
STORM, Mme (E)  
CORTEBEECK, M.(T/W)

*Bénin/Benin*

ONI, M. (G)  
MASSESSI, M. (G)  
AHOUDJI, Mme (E)  
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