



Second sitting

Monday, 5 June 2006, 10.20 a.m.

President: Mr. Sajda

ADDRESS BY THE PRESIDENT OF THE CONFERENCE

The PRESIDENT

It is my great pleasure to declare open the second sitting of the 95th Session of the International Labour Conference.

This morning we are opening the general discussion on the important reports that you will address here in the plenary of the Conference.

One of these reports is the report of the Chairperson of the Governing Body, which Mr. Tomada already presented to us at the first sitting of the Conference last Wednesday. The others are the Reports of the Director-General who will shortly introduce them.

They are *Changing patterns in the world of work*, Report I(C). The second, *ILO programme implementation 2004-05*, Report I(A) and the Report on the *Situation of workers of the occupied Arab territories*.

I shall come back later to the fourth Report, which is the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Report I(B), and which will be discussed separately.

Now, with your permission, before giving the floor to the Director-General to present his Reports, I should like to make a few personal comments to the Conference.

The 95th Session of the International Labour Conference has before it several important issues, foremost among them the Director-General's Report with the intriguing title, *Changing patterns in the world of work*. It is a great pleasure for me to be able to share with you a few thoughts on this Report, as well as on other topics on the agenda before us.

As the Director-General says in his introduction, this Report is different. It is an examination of whether the ILO's knowledge base is required to respond to the increasing demand for the Organization's service. Before entering into public service, I spent many years in the business world. There, an increase in demand is a good sign, but one that also poses a big challenge in terms of how to respond. How can we provide our clients with timely and good quality products or services? Can we succeed in the face of increasing international competition? Can we manage to turn our clients into regular customers? I think that these questions are pertinent, not only in the business world, but also for the ILO.

I am confident that you will agree with me that this Report raises important issues for our Organization and makes for a very interesting reading. As the Director-General says, it raises as many questions as it answers and it certainly opens a window of opportunity for a lively and truly democratic debate.

Each one of us here will read the Report from the point of view of his or her own country's experience. For me, the main message is the role of tripartism and of social dialogue as tools for economic and social reform, as tools for change. The Report suggests that finding a new balance between flexibility and security is a necessary response to changes in employment structures and working conditions. What better way is there of achieving this than for the parties concerned to engage in dialogue.

Maintaining effective social dialogue is crucial. However, nothing can be achieved in this area without a constant and strong political will of all parties involved. Labour laws and the formal institution for social dialogue cannot guarantee satisfactory results on their own unless the social partners have real ownership in these laws and institutions.

Just to give you an example: the Czech national tripartite body – the Council for Economic and Social Agreement – was created in 1990 and since then has operated quite satisfactorily, even though not based on any law, but on an apparently informal, but very solid tripartite agreement.

The Report also highlights emerging trends in industrial relations, especially changes in the role of collective bargaining at different levels. These trends should be further studied and analysed by the ILO, as they have a different direct impact on the governance of labour markets. More knowledge about the relationship between industrial relation practices and employment and productivity would help ILO constituents to modernize labour-management relations.

I fully agree that the internalization and globalization of labour markets means that more and better governance is needed at the transnational level. The social partners should naturally be involved in the building of international social floors, either through the strengthening of ILO standard-setting activities, or through international social dialogue. I fully support the Report's statement that the road to decent work goes through growth, investment and enterprise development. The latest – and very satisfactory – data on GDP growth in my country shows clearly that our enterprises are able to cope with ever-increasing competition, and I am sure that the

European Union membership has contributed to these positive developments. EU enlargement, highly profitable for all member countries and their populations, could be considered as an example of "civilized" globalization.

Unfortunately, a large proportion of the world's population cannot enjoy the potential benefits of globalization. Moreover, the huge informal sector excludes workers from basic social security safety nets and leaves them in total insecurity. And, as the Report quite modestly suggests, not only in developing countries.

This brings me to another point: labour laws must not only be improved and adapted to the changing world of work; they must also be better implemented and enforced. This is mainly the role of ministries of labour and other components of labour administration. It would be very interesting to hear your opinions about the recent changes in the role of ministries of labour which we can observe in many countries

Let me now touch very briefly upon some of the other issues on the Conference agenda: the employment relationship, technical cooperation, and safety and health.

The employment relationship is a subject which is closely connected to the dramatic changes in the world of work described in the Director-General's Report. The fact that this session of the Conference is discussing a proposed Recommendation on the employment relationship is both a challenge and an achievement. It is the outcome of many years of reflection and debate within the Organization. The objective of this proposed Recommendation is to provide member States with clear guidelines to enable them to cope with one of the most serious problems encountered in the field of labour law: the determination of the existence of an employment relationship. I feel that there is no need to explain here how difficult this matter is, both in terms of the principles of labour law and even more so in practice. Nevertheless, in spite of this difficulty, we are now closer to finding a balanced solution, especially thanks to debates that were held during the International Labour Conference in 2003 on the scope of the employment relationship. The constructive approach that has been taken by the major players in the Committee on the Employment Relationship is a positive sign, and I am confident that we will be able to adopt a new and much needed international labour standard at this session of the Conference.

The protection of workers' safety and health has been a core activity of the ILO since its establishment. In spite of all the efforts made by all concerned, the human and economic loss resulting from occupational accidents and disease remains huge. The ILO estimates that every year 2.2 million workers are killed as a result of work-related accidents and disease; 270 million workers are injured and 160 million workers are suffering from work-related diseases, resulting in economic losses equivalent to 4 per cent of world GDP. As a step towards reinforcing ILO efforts, in 2003 the International Labour Conference adopted a resolution concerning a global strategy on occupational safety and health.

As one of the follow-up activities to the global strategy, this session of the International Labour Conference is holding a second discussion on occupational safety and health, with a view to adopting new instruments on the promotional framework for occupational safety and health. The instruments

are expected to enhance the position of occupational safety and health on the national and international agenda and promote a more systematic approach to occupational safety and health and at the enterprise level. International or regional minimum standards might therefore be particularly effective in this area as they not only protect workers, but also create conditions for fair competition.

The last subject on which I would like to comment is technical cooperation. The discussion on this subject will take stock of the ILO's technical cooperation programme; this covers a vast array of services and support provided to member States at their request. Technical cooperation, dating back to the 1930s and now catering to governments and employers' and workers' organizations in over 100 countries, has expanded considerably in recent years. It has proven to be invaluable in assisting countries to achieve decent work for all.

For all its dynamism and successes, this operational part of the ILO's work is facing several challenges, which the Conference is called on to examine. First, how to promote labour standards and decent work effectively. Second, how to mobilize the expertise and resources necessary to respond to the priority needs of our constituents. Third, in what ways may the role of the ILO, with its unique tripartite character, be enhanced in development action. Lastly, how to fit into a new framework for the coordination of United Nations development activities.

As far as the mobilization of resources is concerned, let me inform you that a framework partnership agreement on technical cooperation between the Government of the Czech Republic and the ILO is about to be signed. This should create a legal basis for long-term and regular extra-budgetary contributions of the Czech Republic to the ILO development activities.

In conclusion, I wish to thank you once again for the honour you have bestowed upon me and for the confidence you have entrusted in me by electing me to preside over the 95th Session of the International Labour Conference. The programme of the Conference is heavy; nevertheless, with your valid cooperation and support, I am certain that we shall achieve the expected results through democratic discussion.

PRESENTATION OF THE REPORTS OF THE DIRECTOR-GENERAL

The PRESIDENT

Now it is my honour to give the floor to Mr. Juan Somavia, Secretary-General of the Conference and Director-General of the International Labour Office, to present the Report he is submitting to the Conference this year.

The SECRETARY-GENERAL

Congratulations to the President on his election. I look forward to working closely with him – we have already begun – I thank him for that great speech in which he launched our work today. And I am glad to have so many good friends as Vice-Presidents, with all three of them, our friend from Egypt is not here, but with all three of them I have worked very closely also in the past.

Welcome to the 95th Session of the International Labour Conference. It is quite an extraordinary assembly, well more than 5,000 strong. This continues

the record attendance of recent years and reflects the rising interest and relevance of our discussions.

As I look around I cannot help but marvel once again at what I see before me. We are the most representative, regular, multilateral assembly in the world and the most diverse and we sometimes forget it simply because we are the ILO, but we do not have this diversity and this representation in any other regular body. We are the richness of our combined experience, backgrounds and voices – they are unique. And yet we are united behind the common set of values and principles of our Constitution and together we are a powerful force.

As every year, our Conference agenda covers a number of major issues in the world of work which call for full discussion and action by the ILO. Let me just mention some of them.

We are reviewing our technical cooperation activities for the first time since 1999. This discussion is particularly critical in ensuring that we maximize the impact of the decent work country programmes. We are starting to introduce and deliver technical cooperation programmes with maximum impact for all constituents. I think that the conclusions of our discussion on this issue are going to be key for the future of our technical cooperation and for the cooperation and the support that we will get from those in the development cooperation field.

I am presenting a Report on *The situation of workers of the occupied Arab territories*. Once again, and sadly so, it is a disturbing report. It explains the continuing human suffering resulting from the overall situation.

This is compounded by the effects of widespread and frequent closures and what the complex situation around financial support means for the living conditions of working people and the business environment of Palestinian entrepreneurs.

We will continue our discussion on the complex and changing nature of the employment relationship. I know this is a difficult issue but I invite you to be self-confident and believe in your capacity to find a common acceptable framework – that is what we are all about. It is not just a matter of dismissing the difficult issues, it is a matter of being able to solve them, to address them and to find what we do well here, balanced and good solutions for everybody. Failure is not a possibility.

You are also working on a proposed Convention on safety and health. I am confident that we will reach again a balanced and workable outcome that helps to integrate action in this key issue in all countries, as the President has just mentioned.

Your Conference Committee on the Application of Standards has already reviewed a General Survey on the vital area of labour inspection, and will examine a number of significant cases concerning the application of standards.

One case they will not be looking at is Colombia because an historic tripartite agreement has give us all hope that we can move forward with common objectives.

Sadly, we cannot say the same of Myanmar or Belarus, where little if any progress can be seen so far.

The Conference also has before it our report on *Changing patterns in the world of work*, to which I will return.

As we begin to tackle this heavy agenda, we can take strength in our successes in recent years. I have to say we have come a long way and, together, our voices are being heard. I say this because many of

you have asked me where we are with the Decent Work Agenda, so let me try to answer that question.

Seven years ago we adopted an agenda for renewal and modernization of the ILO. Our task was to construct an internal tripartite consensus and explain in plain language the vision of the ILO and our work ahead in the dawn of the new century.

Together, we integrated our fundamental historical responsibility for rights at work and social protection with a job creation and enterprise development outlook. We said there can be no workers' rights without work, so we made employment generation a key priority. Workers' rights. Social protection. Jobs and enterprise. Social dialogue. Gender equality throughout. The Decent Work Agenda. The development agenda.

Now, what began as an internal concept to modernize and reform the structure of the ILO by its tripartite constituents developed in a few short years into an agenda that has resonated with political leaders, as well as with working women and men and business people almost everywhere.

All of you, ministers of labour, trade unions, employer organizations, have been promoting and explaining and acting on different dimensions of the Decent Work Agenda, adapting it to your regions, shaping it to your particular countries and group interests, and you are being heard.

In Ouagadougou, the African Union Heads of State and Government made decent work the focus of a crucial jobs and poverty summit. In Mar del Plata, the Organization of American States focused its Presidential summit around the challenge of decent work, poverty reduction and democratic governance as key to political stability. The Asian Development Bank made a call for growth with decent employment the central theme of its annual flagship reports, as did the Economic Commission for Africa, followed up by the African Finance Ministers. And just some weeks ago the European Commission issued a communication and I will just read the title: *Promoting Decent Work for All: The EU contribution to the implementation of the Decent Work Agenda in the world*.

There is a social civil society campaign entitled "Decent Work for a Decent Life" and last September more than 150 global leaders at the United Nations World Summit came strongly on board through paragraph 47 of the Outcome document. It makes full and productive employment and decent work the central objectives of relevant national and international policies, explicitly supports fundamental principles and rights at work and spells out the central role of decent work in development strategies and poverty reduction.

You can well understand that the Outcome document marked an unprecedented leap in global recognition, at the highest political level, of the relevance and centrality of the ILO's Decent Work Agenda for the entire international community. And what it did was to transform the ILO agenda, developed, as I said, for internal purposes seven years ago, into a global agenda, and that is the reality we, as the ILO, face today. Our ILO agenda has become a global agenda.

Dear friends, let me very frankly say this success belongs to you, because these were not our meetings. But I saw with my own eyes how, in so many different ways, you were all active. Tripartism was alive in explaining and promoting the Decent Work

Agenda and influencing and being part of these outcomes.

What happened is that when, together, we explained to the world what the ILO was about at the beginning of the twenty-first century, we connected with people and politics.

Politicians going to election all over the world know that this is the biggest democratic demand they face. People are voting for a fair chance at a decent job.

So, we have influenced the global agenda, but let me say right away, we cannot and will not be complacent about it. Despite the many benefits of globalization, we see again and again how the dignity of work has been devalued: how so many people are being buffeted by the winds of change, between hope and fear, between opportunity and uncertainty.

They are trying to find their way in a world economy where market values trump human values: where a win-at-all-costs mentality undermines human solidarity and where the weakest, whether they be workers, communities, companies or countries, have the least opportunities. Above all, despite so many important efforts within countries, a global economy that is not delivering enough decent jobs that people need.

Economic optimism for some is matched by profound social pessimism for many. That is why we must put in place policies that replace jobless growth with quality “job-rich” growth. But I think it also explains why the Decent Work Agenda is seen by so many people throughout the world as a practical and balanced tool to address these problems.

We know full well that declarations and reality can and do diverge widely on these issues, but we also know that all of these commitments to the decent work approach make it easier to lobby, to mobilize around policies and programmes to make it happen. Also, there is a new-found respect for the ILO. So our challenge is further to step up our efforts to translate this global political support into policies that make decent work a national reality, and I think that I will probably be repeating this over and over again over the next few years.

Yes, we have the pulse of the times.

Yes, we have to make sure that by having made those international commitments we concentrate on the national realities.

We need action starting at three levels, first the national level, starting at home. If the Decent Work Agenda connects with politics then we have to help governments and social partners put this approach into policies, translate it into meaningful change in people’s lives, with each country defining their own priorities, choices and policies.

Our decent work country programmes will progressively become the main instrument for cooperation with member States and the expression of tripartite priority setting, engagement and ownership. I know that tripartism does not work perfectly in every country but I do know that the more we make it happen, the more we have the capacity of thinking together about how to put jobs into the development strategy and how to make decent work country programmes relevant to those development strategies. Through tripartism and social dialogue, the results are going to be better. These decent work country programmes are also the ILO’s specific contribution to international development frameworks and the focus with donors and other actors in development cooperation. They are also an important vehicle for

ILO engagement with the United Nations policy coherence efforts and greater operational coordination at the country level that the United Nations reform is promoting.

Second, at the regional level, the fact is that it was the regional summits I mentioned before that took the lead in setting an agenda for action. That is when it was first picked up and we are following up. In Budapest last year, our European Regional Meeting cemented an effective partnership with the European Union to advance the Decent Work Agenda across the whole region and the countries that are not Members of the European Union. At the recent American Regional Meeting in Brasilia it was decided that our report, *Decent Work in the Americas for the Hemisphere 2006 – 2015*, would be used as a guide for national policy-making in the coming decade.

I am looking forward to a similar direction at the Asian Regional Meeting in August and in Africa next year, according to the specificities of each region. I believe there is also scope to explore new avenues for greater cooperation between the regions of the developing world.

And let me say, I have a particular interest in thinking together about this. I think that we have to enhance and expand South-South cooperation, as an opportunity to learn and gain from one another’s experience. I would like us to think of a major programme in that direction and to ask those countries that have resources in terms of achieving cooperation to think how relevant it is that developing countries could have a space of their own, in the sense of participating and putting their own experiences at the service of others.

The third key for making decent work a reality is to work together with other international organizations in responding to national ownership and national priorities. The Secretary-General of the United Nations put it best in a recent major address when he said: “When discussing macroeconomic policies there should be an institutionalized reflex which constantly asks, ‘what can this do for jobs?’” I think it is very important that the Secretary-General is on board with this agenda so clearly.

To help advance the effort, we are working with multilateral, regional and individual development cooperation agencies, including the Bretton Woods institutions, to systematically integrate the objectives of productive employment and decent work in their policy dialogue and programming cycles with countries and regions. We began some years ago with the first round of PRSP exercises, and it has become sort of common logic that they should now be part of the second round of PRSPs. This is picking up steam and is relevant to our Committee on Technical Cooperation at this Conference.

Also let me mention, because we are in Geneva, that the member States of the United Nations Economic and Social Council (ECOSOC) decided that the first high-level segment meeting since the World Summit, to be held in early July in Geneva, should focus on the theme of full and productive employment and decent work. They, I am certain, can help mainstream these issues within the United Nations system.

What I want to say by all this is that somehow the Decent Work Agenda has acquired a life of its own. A lot of things are happening that do not depend on how much we do at the ILO. People pick it up because they feel that it is relevant, that it is useful,

and they want to work with the concepts and the contents that the Decent Work Agenda has.

The expanding receptivity to our approach poses fundamental challenges and opportunities, of course, for us. They generate real demands that require us to constantly assess our performance and analyse how we can do better against the reality experienced by governments, employers and workers.

The Report *Changing patterns in the world of work* provides a comprehensive synthesis of the global context in which we are advancing the Decent Work Agenda. As you know, I believe that if you do not understand the whole, it is extremely difficult to be efficient in more specific things. We have to pursue a mandate, but do so in knowledge and understanding of the context, and the Report will be a useful background, I believe, when we start to plan our next programme and budget.

The Report adds to our knowledge base, providing an integrated view of the multiple changes and processes in the world of work. It can lead, I think, to a much better understanding of how ILO tools can be used, shaped and adapted to address these changes.

And let me say one thing which I think is important. On many of the issues the Report highlights, you have prepared to meet the challenge. You have already prepared to address the issues, you have already decided to act by placing them on the agenda of the International Labour Conference. Let me just give you a few examples.

First, in the Report we conclude that it is now possible to talk about an emerging global labour market. Most women and men cannot move easily across borders in search of work and half the world's workforce is living in poverty on the margins of the global economy – we know that. But nevertheless, hundreds of millions of workers today are connected to the global economy because the products they produce and their employers are, so it makes you connect that way. This reality inevitably raises the question of what sort of global standards and social floor we need in a global economy. This, of course, is the basic reason for the 1998 Declaration on the Fundamental Principles and Rights at Work.

But we have gone further. For example, the industry that most clearly operates in a global labour market is shipping. This year we adopted a new comprehensive Maritime Labour Convention

What does it prove? It proves that we can develop modern Conventions. We can develop modern Conventions with sound enforcement mechanisms to the satisfaction of all constituents. This was done in February of this year in this same room. As you know, it was approved without opposition.

Second, some 80 per cent of the world's workers live in developing countries. Some 430 million jobs will need to be created by 2015 simply to keep up with the growth of the labour force which will take place in that part of the world. That job creation challenge comes on top of the pressure of the continuing large skill shift out of agriculture and rural areas towards cities, pushed by poverty and pulled by the hope of a better job. This is also the origin of international migration.

We are focused on these issues. In 2002, we approved a ground-breaking Recommendation on the informal economy, and in 2004 on labour migration, in 2001 a key Convention on safety and health

in agriculture and in 2002 a Recommendation on the promotion of Cooperatives. These are all relevant to the basic issues that we have mentioned.

This year we have our second major discussion on child labour since the adoption of the Declaration in 1998 and we can proudly say that the incidence of child labour is beginning to decline. Yes, it can be measured in numbers, but I would say even more so in the gleam in the eyes of children which I see in the International Programme on the Elimination of Child Labour Projects that I visit. Much, much more needs to be done but we are clearly going in the right direction. We have moved from denial to countries being proud that they are bringing down their child labour statistics. That is a major, major change and it is the ILO and its constituents that have brought about that change, a change not only in attitude but also effectively on the ground.

Third, viewed globally, it is increasingly services that represent the major growth area for employment. This is linked to another, virtually global phenomenon – skill shortages side by side with rising unemployment. The hardware of the new technologies is spreading much faster than the human software of manager and worker skills to make full use of its potential. In 2004 we adopted a new instrument on human resources development, in 2005 we agreed on a series of policy guidelines on youth employment and also working time, in 1998 we decided on a comprehensive set of policies to promote small enterprise development, and this year we are coming back to the employment relationship – all issues at the heart of adapting to changes in the structure of employment.

Fourth, as some developing countries, as well as most developed countries, come to terms with an ageing population, the economic cost of social exclusion from employment will rise further and further. We cannot have at least six out of ten workers in the world without social protection, to give just one example. Again, the problems of social exclusion from employment have been on our agenda on many occasions in the recent past: the Global Report 2003, *Time for equality at work*, and the maternity protection Convention, 2000, are instances of this.

Let me highlight our 2001 new consensus on social security, which looks more and more like a realistic foundation for the extension of effective systems worldwide, according to available national resources and international support for their development. Its approach also helps deal with the diverse problems older systems are facing.

So, what is my conclusion out of all of this? That, while the international community was analysing our Decent Work Agenda and ultimately giving its global support, we continued our regular business of discussing, negotiating and agreeing on action on some key policy approaches to make that Agenda happen. Of course, many other issues were tackled by the Governing Body and the Office. This reflects a systematic preoccupation I have had since I arrived at the ILO: to make sure that our knowledge base and policy approaches follow the changing patterns in the world of work.

So, we are facing some very major changes taking place that are likely to continue and probably accelerate. Responding to the many challenges they raise will require strengthening our capacity to act – as unions, as employer organizations, as ministries of labour and collectively, as a tripartite voice for

the world of work. I also believe that there should be a global commitment to this end, a global recognition of the role that tripartism plays in stabilizing societies, ensuring consensus building and having good industrial relations.

As in the recent past, I wish to state again that tripartism is the key to the task ahead. We need to support our constituents where they are strong and reinforce them where they are weak. As you know, without strong cohesive, modern, self-assured constituents willing to think creatively, with faith that social dialogue processes can yield results with all the differences that we know exist, the ILO cannot exercise all of its potential influence, nor fully deliver its services nationally or internationally. That is your part of the process, that is what you do to reinforce what we together stand for. For all of us, I think it means exploring new avenues, finding new allies, developing new ways of working together.

Let me finish by saying that an enormous opportunity has opened up, because of the support we are receiving for our view of things, and we have an enormous responsibility before us. This is a time of reform, and we welcome it. It is reform that brought the ILO here; it is continued reform that will get us where we aim to go. I have addressed this issue with the Governing Body. As we look ahead to our 90th anniversary in 2009, we are taking action on the right issues and we are moving ahead. But there is one major obstacle: fairness and social justice are not today major drivers of the world of work. I would have been very glad to be able to say in my Report that they are, but that is not the situation. It inevitably limits our capacity to act. This is probably the greatest social struggle at the beginning of the twenty-first century. We see signs of it every day. Yet, simply because we raise the right issues does not mean that we alone have the means to solve them, but we have put our finger on the pulse of people's concerns. That is why we must persist. I think that we all have the experience that persisting in a just cause is the major driver of change.

Let me give you a recent example. As many of you know, I have been very concerned about threats to freedom of association during the recent crisis in Nepal, as well as the personal security of our friend Laxman Basnet, Worker member of the Governing Body, and other leaders and members of trade unions under threat. It was with great pleasure that I sent a message of congratulation to Prime Minister Koirala and invited him to address the Conference. Six days ago, I received his reply. Let me share part of it with you.

"Dear Mr. Somavia,

On behalf of the people and Government of Nepal, I would like to thank the ILO and you for your support to our struggle for the restoration of democracy and human rights in Nepal. The historic people's movement 2006 has eventually established sovereignty of the people! Now we need to consolidate the gains of the democratic movement."

While explaining that he could not come at this moment, which is understandable, he said, and I quote: "In view of my political background, I consider this invitation as a great gesture in honour of the working-class people of Nepal."

And mark my words, one day all the democratic leaders who fought for freedom will be standing before you at this very lectern and they will say to you what Lech Walesa, what Nelson Mandela, what Chilean labour leaders, and so many others, have

said to us: "Thank you ILO. Thank you for taking up the fight for fairness and social justice. Thank you for not being afraid to be sometimes a lonely voice and for giving us that luminous hope in our darkest days."

That is our mandate and our mission. It is both the great gift that history has bestowed on us and the great task ahead. Let us honour it for our predecessors and redeem it for our children.

The PRESIDENT

Thank you, Mr. Somavia, for those inspiring words. I have no doubt that they, and the presentation made by the Chairperson of the Governing Body last week, will provide the ground for a fertile discussion by the tripartite constituents and will enable them to advise you on the future activities of our Organization.

**FIRST REPORT OF THE CREDENTIALS COMMITTEE:
SUBMISSION AND NOTING**

The PRESIDENT

At this stage, I wish to inform you that the first report of the Credentials Committee has been published in *Provisional Record* No. 5B. This determines the quorum for our work. The Conference is called on to take note of this report.

(The report is noted.)

**FIRST REPORT OF THE SELECTION COMMITTEE:
SUBMISSION AND NOTING**

The PRESIDENT

We will now receive the first report of the Selection Committee. The Chairperson of that Committee, Ambassador Macedo of Mexico, cannot be with us this morning, so I call on Mr. Trotman, Worker Vice-Chairperson of the Committee, to present the report.

Mr. TROTMAN

I have the honour to submit to the Conference the first report of the Selection Committee which is contained in *Provisional Record* No. 3-1. The report sets out a number of decisions concerning the work of the Conference which I shall now summarize.

The Committee decided that the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General would begin today at 10.00 a.m. and that the list of speakers will close on Thursday, 8 June at 6.00 p.m. It also endorsed the Governing Body's recommendation for the holding of the discussion on the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, *The end of child labour: Within reach* and decided that the discussion should be held in two dedicated sittings on Friday, 9 June. The Committee endorsed the draft plan of work which is reproduced in Appendix 4 of the report and which may be modified as the Conference progresses.

I should like also to draw to your attention the suggestions in the report concerning a quorum, punctuality and negotiations in committees. These are designed to ensure the smooth working of the Conference. As regards participation in Conference committees by Members that have lost their right to vote, the Selection Committee recommends to the Conference that the practice followed in recent years by Government members, of not applying for

regular membership of committees if they are not at the time entitled to vote, should be continued.

The Selection Committee also recommends that if this practice for any reason is not fully respected, the calculation of waiting coefficients for votes in committees should be based on the number of regular Government members entitled to vote. The electronic voting system has taken this into account.

The Selection Committee invited a number of non-governmental international organizations to be present at meetings of the committees dealing with items on the agenda in which they have expressed a particular interest. The Committee noted that the representation of such organizations at the Conference was governed by specific provisions of the Standing Orders, in particular article 2, paragraph 3(j), and article 56, paragraph 9, and that these provisions were without prejudice to the participation of the employers' and workers' organizations in the work of the Conference and its committees.

The Selection Committee also decided to submit to the Conference a resolution to be voted on at a later sitting on an amendment to article 2(4) of the Standing Orders of the Conference. The purpose of this amendment is to rectify a procedural anomaly that has arisen in the light of earlier reforms to the functioning of the Governing Body. It would enable the Governing Body to take earlier decisions regarding requests from non-governmental international organizations to be present at the Conference.

The Committee took decisions regarding the composition of the Credentials Committee and the Conference Drafting Committee.

Finally, the Committee noted the decision of the Conference to refer to it the additional agenda item, *Review of further action that could be taken by the ILO in accordance with its Constitution in order to:* (i) *effectively secure Myanmar's compliance with the recommendations of the Commission of Inquiry;* and (ii) *ensure that no action is taken against complainants or their representatives.* The Committee decided that its discussion on this question will be held on Tuesday, 13 June.

With these words, I commend the report of the Selection Committee to the Conference for adoption.

The PRESIDENT

Thank you, Mr. Trotman. The Conference is called on to take note of this report.

(The Conference takes note of the report.)

The resolution concerning an amendment to the Standing Orders of the International Labour Conference will be submitted to the Conference for adoption by a vote later in the session. May I take it that you are in agreement with this procedure?

(It is so decided.)

REPORTS OF THE CHAIRPERSON OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION

The PRESIDENT

Before starting the discussion on the Reports of the Chairperson of the Governing Body and of the Director-General, I should like to make the following statement on behalf of all the Officers of the Conference as a reminder of the principles by which we shall be guided in our debate. These principles were established by the Working Party on the Pro-

gramme and Structure of the ILO, approved by the Governing Body and communicated to the Conference in 1967.

They are set out in paragraphs 54-58 of the Working Party's report which are recalled in the *Conference Guide* to the 95th Session of the International Labour Conference, a copy of which you should all have.

The Officers of the Conference wish to draw the close attention of all delegates to the contents of paragraph 58 which reads as follows: "In periods of acute political tension the ILO has a twofold responsibility to uphold the values of human freedom and dignity enshrined in its Constitution, and to circumscribe rather than extend the area of international tension by ensuring the fullest possible degree of continued cooperation in the pursuit of the objectives of the ILO."

Every delegate to the International Labour Conference has an obligation to the Conference to keep this consideration constantly in mind, and the President has an obligation to ensure that the Conference does not lose sight of it. It should be remembered that the debates of the International Labour Conference must not encroach on what is being discussed by the Security Council and the General Assembly of the United Nations in New York, which have responsibility for political decisions under the United Nations Charter. I should therefore like to ask all delegates to comply with these principles. We, the Officers of the Conference, are committed to ensuring that these principles are upheld.

I should also like to say that I rely on you all to conduct our discussions with both the openness and the dignity that are appropriate to the highest international body in the realm of social and labour-related matters.

Freedom of expression is a vital feature of the International Labour Organization. However, in order to exercise this right in a spirit of mutual respect, it is of paramount importance that all delegates use parliamentary language, respect the accepted procedure, refer only to the items under discussion and avoid raising any question alien to these matters. We have to accept a certain amount of discipline if we want our work to be carried on in an appropriate way and to be crowned with success.

All delegates will have the right of reply if they feel there is a need to respond in the event that their government has been challenged. In such cases, delegates must inform the President of the sitting before the sitting finishes that they wish to exercise their right of reply. Please make such requests by coming up to the podium and informing the Clerk. The Clerk will transmit your request to the President, who will agree with the delegation concerned on a time at which the reply may be made.

The reply should refer only to the point under discussion. It should not exceed two minutes and should be delivered in correct parliamentary language. Lastly, it is not the practice in our Organization to allow replies to a reply.

Please also note that the duration of speeches is limited by the Standing Orders of the Conference to five minutes only. All delegates and ministers attending the Conference will no doubt wish to take this limit of five minutes into account in preparing their speeches, so that the President will not be obliged to stop speakers before they have finished their speeches.

May I remind you once again that the list of speakers for the discussion of the Reports of the Chairperson of the Governing Body and Director-General will close at 6 p.m. on Thursday, 8 June.

I now take it that these arrangements are agreeable to the Conference. I see no objections, thank you.

(It is so decided.)

For the seventh time, the Director-General has submitted a Global Report under the Follow-up to the Declaration on Fundamental Principles and Rights at Work. This year the Conference returns to the third of the subjects covered in the four-yearly cycle: the abolition of child labour.

The discussion of the Global Report, *The end of child labour: Within reach*, will take place on Friday, 9 June during two sittings. There will be no other plenary sittings on that day. There will be no formal list of speakers for the Global Report sitting. Participants will be able to register if they wish to speak on the day of the discussion itself, using the application forms that will be available in the room. The speaking order will be decided by the President. At the beginning and towards the end of the debate, time will be allocated to those who speak on behalf of a group. The objective is for us to have a discussion which is interactive and aims at giving guidance for future ILO action against child labour. In the middle of the day there will also be a special event to highlight best practices in the elimination of child labour.

You will remember that I announced at the first sitting that these arrangements entailed the suspension of certain provisions of the Standing Orders of the Conference, namely article 14, paragraph 6, concerning the time limit for speeches, and, to the extent required, the provision of article 14, paragraph 2, on the sequence in which the floor is given to speakers.

Does the Conference agree that the suspension of the clauses of the Standing Orders as presented last Wednesday is to come into effect as from the current sitting? I see no objections.

(It is so decided.)

You will also recall, as I announced at the first sitting, that the absence of a Resolutions Committee at

this session of the International Labour Conference necessitates the suspension of the references to it in article 17, paragraph 3, of the Standing Orders of the Conference, as well as of paragraphs 4-10 of the same article.

In addition, I informed you at the first sitting that for the discussion in the plenary of the Reports of the Chairperson of the Governing Body and of the Director-General, the arrangements for the reproduction of participants' five minutes speeches in English, French and Spanish only, depending upon the language chosen by the government of the speaker's country for purposes of official correspondence with the ILO, call for the suspension of the corresponding part of paragraph 5 of article 24 of the Standing Orders.

Does the Conference agree that these suspensions under article 76 of the Standing Orders, as presented at the first sitting, come into effect as from the current sitting. I see no objections.

(It is so decided.)

We shall now open the discussion on the Reports of the Chairperson of the Governing Body and the Director-General.

(The sitting continues with delegates' statements, which are reproduced in Provisional Record No. 9.)

DELEGATION OF AUTHORITY TO THE OFFICERS OF THE CONFERENCE

By virtue of the delegation of authority to the Officers of the International Labour Conference, applicable from Wednesday, 31 May, 11.25, to Monday, 5 June 2006, 10.00, to take any non-controversial decisions relating to the organization of the Conference,

the Officers of the Conference have, upon the request by the Workers' group, acknowledged the status of Deputy Worker member of the Selection Committee of the following delegates: Mr. Blondel (*France*), Ms. Byers (*Canada*), Mr. Edström (*Sweden*), Mr. Etty (*Netherlands*), Mr. Sidi Said (*Algeria*), Mr. Silaban (*Indonesia*), Mr. Syed Shahir (*Malaysia*), Ms. Valkonen (*Finland*).

(The Conference adjourned at 1.50 p.m.)

Third sitting

Monday, 5 June 2006, 3.15 p.m.

Presidents: Mr. Sajda and Mr. de Regil

The PRESIDENT

It is my honour to open the third sitting of the International Labour Conference. I should like first of all to give the floor to the Clerk of the Conference for an announcement.

RATIFICATION OF INTERNATIONAL LABOUR CONVENTIONS BY PORTUGAL AND LATVIA

The CLERK OF THE CONFERENCE

Thank you Mr. President. It is my pleasure to inform you that the ratification by Portugal of the Part-Time Work Convention, 1994 (No. 175), and the ratification by the Republic of Latvia of the Forced Labour Convention, 1930 (No. 29), the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182), were registered on 2 June of this year. This means that the Republic of Latvia has now ra-

tified all eight of the fundamental Conventions of the ILO.

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

The PRESIDENT

We shall continue with the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General. Before starting I should like to inform you that it is my intention and that of my fellow officials to ensure that the Standing Orders of the Conference are respected and that the speaking time limit of five minutes is strictly adhered to.

(The sitting continues with delegates' statements which are reproduced in Provisional Record No. 9.)

(The Conference adjourned at 6.10 p.m.)

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