



Follow-up activities by the Office under the Declaration on Fundamental Principles and Rights at Work: Freedom of association and collective bargaining, forced or compulsory labour, discrimination

1. This note has the purpose of informing delegates at the 96th Session of the International Labour Conference (Geneva, June 2007) of activities in pursuit of the Action Plans approved by the Governing Body on freedom of association and the effective recognition of the right to collective bargaining, on forced or compulsory labour, and on discrimination. The Action Plan approved by the Governing Body on the abolition of child labour is essentially congruent with the most recent orientations concerning the InFocus Programme on Child Labour (IPEC).
2. This note updates *Provisional Record* No. 7 of last year's session of the Conference. Not listed here are the many activities, such as meetings, publications and advisory services, projects handled by the Bureau for Workers' Activities (ACTRAV), the Bureau for Employers' Activities (ACT/EMP) and other headquarters or field units that are concerned with or touch upon freedom of association and collective bargaining, forced or compulsory labour, or discrimination which complement the Action Plans. These tend to be reflected in the Office's programme implementation reports regularly submitted to the Programme, Financial and Administrative Committee of the Governing Body.

A. Freedom of association and collective bargaining

3. Following discussion by the Conference in June 2004 of the second Global Report on this principle and right, entitled *Organizing for social justice*, the Governing Body adopted an Action Plan in March 2005. This complements the initial Action Plan adopted in November 2000. Operations under this principle/right are carried out in close collaboration with Sector 4.
4. The second phase of the PAMODEC programme, funded by France, started in December 2006. Its scope will extend gradually to benefit 17 countries in Africa: Benin, Burkina Faso, Côte d'Ivoire, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal and Togo in West Africa; Cameroon, Central African Republic, Chad, Congo, Gabon and Equatorial Guinea in Central Africa; and Madagascar.
5. This new phase will continue three main priorities of PAMODEC: adoption when necessary of new national legislation to respect ratified core Conventions; promotion and public awareness of principles and rights at work and core Conventions; and building

institutions and capacities of government, employers and workers to build a more harmonious industrial relations climate in the countries covered. In addition to freedom of association and collective bargaining, this phase of PAMODEC will address the principle/right of eliminating discrimination in occupation and employment. This will help to give effect to a concern of the Action Plan, namely to promote equal opportunity policies and practices.

6. All activities will be organized with the collaboration of other units at headquarters, such as NORMES, DIALOGUE, ACT/EMP and ACTRAV, and also with the International Training Centre of the ILO, Turin. In Madagascar, PAMODEC is concerned, together with PRODIAF, by one of the objectives – strengthening social dialogue and collective bargaining – of another project entitled APRODEF that relates to the export processing zone (EPZ) in that country. This will be an entry point for addressing another concern in the Action Plan, namely expanding technical cooperation to focus on extending this principle/right to those not traditionally covered, including in EPZs.
7. Projects started earlier through USDOL funding in Morocco and Southern Africa continue into 2008. The project on providing support to the Inter-American Conference of Labour Ministers will end in September this year. A number of technical cooperation projects that came to an end in December 2006, for example in Jordan, Ukraine and Viet Nam, have been extended through funding by other donors. This reflects the positive impact that these projects have had and the interest of multiple donors in supporting the commitment shown by the social partners. New projects have started in Bahrain, Morocco and Oman and plans are under way to develop a project in Egypt.
8. The projects have had an important effect on labour legislation and labour policy and institutions. Recent accomplishments include revised labour legislation in Jordan and in Lesotho. In both countries, the proposed legislation is expected to be tabled with Parliament in the near future. In Botswana, it was proposed to align the public service legislation with the revised Trade Disputes and Trade Unions and Employers' Associations Acts. In Jordan, regulations for a tripartite labour advisory committee were drafted and the agreement on establishing the committee was signed in May 2007. Implementation of Action Plans to improve the functioning of labour ministries is under way in Ecuador, Honduras, Jamaica, Nicaragua and Peru. As part of recent activities in the Gulf States, 100 new labour inspectors have been trained in Oman on issues relating to both this principle and that of eliminating forced labour. A similar training programme will be conducted shortly in Bahrain. In Oman, the new project is also supporting the workers in their transition from workers' committees to trade unions. This process is helped by close collaboration with the Regional Office. The experience gained in working on freedom of association and collective bargaining in Jordan since 2002 was useful in initiating the Decent Work Country Programme (DWCP) in that country.
9. The DECLARATION projects that have come to a close have undergone independent final evaluations. The evaluations reflect the progress made with regard to legislative reform, creating necessary institutions, strengthening labour administration, strengthening employers' and workers' organizations, strengthening tripartism and promoting collective bargaining. These evaluations provide important lessons for future work. These projects have produced a variety of training tools and guidelines, and further work is required to develop and use these more broadly at different levels of the economy, in particular at the sectoral and enterprise level, in the interest of wider diffusion of good practices.

B. Forced and compulsory labour

- 10.** Regarding the abolition of forced labour, the ILO's efforts in promotional and technical cooperation work continued to be led by DECLARATION's Special Action Programme to combat Forced Labour (SAP-FL), working closely with other units and field offices. Its work was guided by the four-year Action Plan, adopted by the Governing Body in November 2005, that set out the main strategic priorities for the period. A number of new technical cooperation projects funded by Ireland, Netherlands, Sweden, United Kingdom and United States have come on-stream, including in countries/regions in which the programme had not been operational to date (for example, the Caucasus and the Middle East).
- 11.** Awareness raising and information dissemination have been an important element of work over the past year. SAP-FL's thematic and country-specific research on forced labour and trafficking has already made it a principal source of reliable information on the subject. The new web site provides a vehicle for publicizing ILO work, events and research, and also for linking to partners' web sites and publications as part of the effort to build a global alliance.
- 12.** Inter-agency partnerships were highlighted in the Action Plan on this principle. An important partner has been the United Nations Office on Drugs and Crime (UNODC), which is the custodian of the Palermo Trafficking Protocol supplementing the United Nations Convention against Transnational Organized Crime. The ILO participates in the steering group of a new "Global Initiative to Fight Human Trafficking and Modern Slavery", a partnership of UN agencies led by the UNODC. Partnership was initiated with the International Organization for Migration (IOM) in a European Union-funded project on capacity building for migration management in China, which aims to promote cooperation between China and EU countries in stemming the cross-border trafficking of irregular Chinese migrants. This project complements ongoing technical cooperation in China that focuses on enhancing the role of labour institutions in law enforcement against human trafficking. The ILO has also entered into partnerships with the International Centre for Migration Policy Development (ICMPD) and the Organization for Security and Co-operation in Europe (OSCE) in an EU-funded project on development of a comprehensive anti-trafficking response in Armenia, Azerbaijan and Georgia and elimination of human trafficking from the Republic of Moldova and Ukraine. The ILO will be working with the United Nations Development Programme (UNDP) on a new project in Tajikistan, focusing on improving migration management and livelihoods in the district of Rasht so as to prevent the forced labour of Tajik migrant workers abroad.
- 13.** Support continues to be provided in a range of countries to governments and social partners for the development and implementation of national action plans against forced labour and/or trafficking. An important recent development was the adoption in Peru, by its inter-ministerial National Commission on the Eradication of Forced Labour, of a national action plan in April 2007. In Niger, the ILO is providing ongoing support for a national commission charged with developing a national action plan against forced labour, including the linked problems of discrimination and forced labour affecting people of slave descent. In Jordan, a new project seeks to improve the law enforcement capacity of the Government against trafficking for labour exploitation, focusing in particular on the exported-oriented factories in the Qualified Industrial Zones.
- 14.** In Viet Nam, following the ratification of Convention No. 29 in March 2007, the Government is being assisted in its implementation plan for the Convention, including through capacity building for government officials, labour inspectors, the judiciary and employers' and workers' organizations.

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15. Brazil continues to be a prime example of initiatives against forced labour as shown by the Ministry of Labour's 2006 statistics, indicating that 3,390 persons were freed from slave labour in that year alone through 106 different labour inspection operations in 206 different farms/businesses in the country. The National Commission for the Eradication of Slave Labour (CONATRAE), supported by the ILO, is largely responsible for most of the nation's policy achievements in the area.
 16. Extensive efforts have been made in the area of generating national estimates of forced labour and trafficking, as well as the establishment of national and global databases. Following an expert consultation held in December 2006 to discuss key methodological issues, plans are currently under way in a range of countries (including Bolivia, Brazil, Republic of Moldova, Niger, Peru, Russian Federation, Ukraine and Zambia) to develop and implement different types of primary data collection activities.
 17. Work to incorporate forced labour concerns in DWCPs is now at various states of advancement, depending on the country/region concerned. In Pakistan, for example, the DWCP agreed between the ILO and its tripartite constituents in September 2005 points to further work required for implementing the 2001 National Policy and Plan of Action for the abolition of bonded labour and rehabilitation of bonded labourers, as well as low enforcement of existing legislation on bonded labour, as major gaps to be addressed. The ILO has recently been able to renew its support to the Ministry of Labour and the social partners to strengthen implementation of the Plan.
 18. Particular emphasis was given in the period to bolstering the interest and capacity of the ILO's social partners to play a proactive role in the fight against forced labour and trafficking. Collaboration under way with the International Trade Union Confederation (ITUC), with the support of ACTRAV, involves an initial assessment of the capacity and training needs of workers' organizations, at international and national levels, and the implementation of a strategy to address these needs. Similar work is under way with the employers' organizations, in collaboration with ACT/EMP and the International Organisation of Employers (IOE).

C. Discrimination

19. The Global Report *Equality at work: Tackling the challenges*, to be discussed at this year's session of the International Labour Conference, gives a complete picture of the activities implemented since the adoption of the action plan programme at the November 2003 Governing Body session, and thus updates the information provided at last year's session of the Conference.

CONTENTS

	<i>Page</i>
<i>Follow-up activities by the Office under the Declaration on Fundamental Principles and Rights at Work: Freedom of association and collective bargaining, forced or compulsory labour, discrimination</i>	
A. Freedom of association and collective bargaining	1
B. Forced and compulsory labour.....	3
C. Discrimination	4