Fifteenth item on the agenda

INTERNATIONAL LABOUR STANDARDS AND TECHNICAL COOPERATION

1. At the 249th (February–March 1991) Session of the Governing Body, during discussions on the Programme and Budget proposals for 1992–93, a number of members of the Governing Body requested clarification on the existing and possible links between international labour standards and the ILO's technical cooperation programmes.

2. The Programme and Budget proposals did not enunciate any new policy on this subject, but simply reaffirmed that the link between standards and technical cooperation was a constant concern of the ILO, and that there was a need to define more clearly the means of giving effect to that concern.

3. This paper is intended as a response to the requests for clarification made by members of the Governing Body. The general principles and concepts that have always prevailed in the ILO are recalled in Parts I and II, while Part III considers the steps to be taken in future to strengthen respect for those principles.

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I. The objectives of the Organisation and the duties of member States

The development of ILO technical cooperation

4. ILO technical cooperation has a long history, which started long before the concept itself became popular in the decolonisation period.

5. In the years before the Second World War, the main emphasis was on technical advice by ILO staff to member countries in response to specific
needs. The first such advisory missions in the 1930s related to the preparation of labour legislation and the development of labour administration and social security. Since then, technical advisory work has remained an important part of ILO technical cooperation. With the establishment of the Expanded Programme of Technical Assistance (EPTA) in 1949 and the UN Special Fund (UNSF) in 1958, which in 1966 were merged into the United Nations Development Programme (UNDP), technical cooperation took on a new dimension: technical assistance responding to specifically identified needs was provided through work items grouped together in a "project", the basic components of which were experts, training in the form of fellowships and group training, and equipment. This transformed the nature of technical cooperation from occasional advice by specialists to advice and action on a systematic basis centred around the project cycle concept: "identification, preparation, appraisal, implementation and evaluation".

6. The "Consensus" resolution of the General Assembly of 1970 defined the basic roles and responsibilities of UNDP, the recipient government and UN specialised agencies, such as the ILO. With UNDP as the central funding and coordinating agency, a global and unified system for planning, programming and implementing technical assistance was developed, within which the ILO became one of the major executing agencies for UNDP, with specific responsibilities and a recognised institutional competence for broad technical areas concerning employment, training and other labour-related issues. During the same period a number of bilateral aid agencies in member States worked with the ILO on a programme of multilateral assistance to developing countries in the same technical areas.

7. ILO technical cooperation expenditure amounted to $152.2 million in 1990. Between 1980 and 1990 it grew by 53 per cent in nominal dollar terms. Most of the funds for ILO technical cooperation are mobilised from extra-budgetary sources such as UNDP, UNFPA, multilateral programmes and trust-fund arrangements. The latter involves funding from development banks and other sources, as well as direct trust funds from beneficiary countries. In 1990 UNDP accounted for 45.9 per cent of ILO technical cooperation expenditure, followed by multilateral and other trust-fund programmes whose share was 33.4 per cent. UNFPA funded 7.6 per cent of expenditure in 1990, and the ILO's regular budget for technical cooperation (RBTG) accounted for 8.8 per cent. Among the various sources of funding, multilateral programmes are gradually assuming greater importance, increasing from 23.4 per cent in 1980 to 33.4 per cent in 1990, while UNDP's share dropped from 59.5 per cent to 45.9 per cent during the same period. Financing of projects under loans and credits of the World Bank and other international and regional development financing institutions has accounted for 8 per cent to 12 per cent of expenditure in recent years.

8. The UN General Assembly resolution 44/211 adopted in December 1989 heralded a major set of reforms of the UN system's operational activities. This resolution, which has since been followed by decisions concerning UNDP's new support-cost arrangements,² the promotion of the national execution modality³ and a shift from a project-by-project approach to a programme approach will have profound implications for the future operations of the ILO.

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¹ GB.248/OP/3/4, para. 22.
² GB.251/PFA/6/7.

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9. Studies of the UN system's operational activities, carried out recently by leading donor countries, have also proposed changes in policies.

10. It will be seen from the above that ILO technical cooperation has had to adjust constantly to changing realities and needs. Further adjustment in line with the new developmental concepts and policies now emerging is required. However, for the ILO such an adjustment has not been and cannot be a mere passive alignment, for the ILO is not just a provider of technical assistance. Technical cooperation is not merely a means of securing funding, but is one of the ILO's major means of action in the pursuance of its mandate. While the content and priorities of technical cooperation obviously have to be closely related to national conditions and requirements, they must also remain consistent with and faithful to that mandate.

The constitutional framework

11. Over the past few months the relation between standards and technical cooperation has been the subject of a great deal of speculation and misunderstanding. This is probably due to the fact that, as they have grown, the shared origins and significance of standards and technical cooperation - the two major means of ILO action - have gradually receded into the background, and as a result the two now seem independent of one another. Before any attempt is made to consider the links between standards and technical cooperation in a detailed and systematic manner, it is necessary to recall a number of general considerations on the nature and very purpose of the commitments made by States in becoming members of the International Labour Organisation.

12. The basic provisions contained in the Preamble to the Constitution and the Declaration of Philadelphia set out in solemn terms the aims and purposes of the Organisation, and from these it emerges that, by taking up membership of the International Labour Organisation, a State does not, as it were, passively acquire the rights and obligations specified in the Constitution, but agrees to take part in a collective endeavour whose objectives are defined in those texts. This idea of a collective endeavour is already reflected in the wording of the first sentence of article 1 of the Constitution (underlining added):

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble to the Constitution and in the Declaration concerning the aims and purposes of the International Labour Organisation ...

However, the idea is brought out more readily in the mutual obligations that the Constitution and the Declaration of Philadelphia confer on States and on the Organisation itself.

13. By joining the ILO, each member State commits itself vis-à-vis the Organisation, to participate actively and in good faith in the promotion of the objects set forth in the Preamble, regardless of how other Members promote them.

14. "Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries," the Constitution includes a number of provisions intended to promote a kind of "upward emulation", the keystone of which is article 19. By that article States are called on to make a substantive contribution, based on national experience, to the technical work
of preparing Conventions, and to give effect to adopted standards as soon as national conditions permit.

15. In this respect, while the Constitution prescribes no formal duty to ratify Conventions, there is nevertheless, in article 19, paragraph 5, of the Constitution, a legal obligation on States to help the Organisation fulfil its task by endeavouring in good faith to ratify Conventions whose application can be guaranteed at the national level, without necessarily expecting other States to do the same. Although States are required to submit reports on this question, the commitment is voluntary and unilateral. It cannot give rise to rewards or sanctions through the award or refusal of technical cooperation. For it to be otherwise would mean in effect imposing on member States an obligation to ratify or face indirect sanctions for any omission, which would be to exceed what is foreseen in the Constitution (except, of course, where such measures are taken under the procedure, hitherto never invoked, set out in article 33 of the Constitution).

16. The corollary to this obligation on States with regard to the Organisation is found in the explicit and solemn recognition, in Part III of the Declaration of Philadelphia, of the obligation (underlining added) "of the International Labour Organisation to further among the nations of the world programmes which will achieve ..." (there then follows a list of aims concerning, inter alia, full employment, job satisfaction, vocational training, sharing the fruits of progress, social security and collective bargaining).

17. The true nature of the link between technical cooperation and standards is therefore naturally brought out by an examination of these reciprocal obligations: member States help the Organisation to promote its objects by participating actively and in good faith in its standard-setting activities; while the Organisation "furthers", through its operational programmes, the efforts of member States to attain the same objectives.

18. This means that any discussion on making the award of technical cooperation conditional on respect for standards is based on a false premise: both operational programmes and standard-setting activities are subordinated to the pursuit of shared objectives which bind both member States, by virtue of the commitments they have made in joining the Organisation, and the ILO's constituent bodies, and in particular the Office. Therefore, not only must the Organisation's technical cooperation activities be conducted within its specific field of competence, but also they must be aimed at promoting the objectives in question. Three major consequences of this state of affairs should be briefly stressed.

19. First, the pursuit of those objectives is of an exclusive nature, that is, all the ILO's technical cooperation must be justifiable in concrete terms by reference to the pursuit of those objectives. Thus, while member States have no obligation to ratify international labour standards, it is nevertheless not appropriate for them to demand of the Organisation technical cooperation programmes that deviate from those objectives or from the specific form in which they are expressed in international labour standards. This would be all the more inconsistent in view of the fact that the standards in question—according to the expressed will of the international community in the formulation of which all member States have participated—are stated to be universal in scope and are supposed to apply in all countries by virtue in particular of provisions that take account of local conditions and levels of development. Conversely, the Organisation and all its constituent bodies, including the Office, are obviously even less free to propose technical cooperation programmes that are unconnected with the pursuit of those objectives.
20. Secondly, the subordination of both these means of action to the objectives of the Organisation implies far more than some abstract or theoretical link between standards and technical cooperation. The ILO’s objectives, unlike those of other national or international organisations, have not simply been formulated in general terms that are open to different or arbitrary interpretations according to where or when they are invoked. The uniqueness of the ILO lies in the fact that its objectives are continually being enriched and made explicit by qualified representatives of the international community – member States represented on a tripartite basis – through the process of developing international labour standards. These standards are thus the concrete, considered and in many cases the detailed expression of the content of the general objectives of the Organisation and of the measures appropriate to their promotion. They not only comprise a set of precise legal prescriptions that have earned them the title of the International Labour Code: they define a model of society based on the values of freedom, pluralism, dialogue and social justice. They provide – in particular all those that concern the fundamental human rights recognised as being of permanent and timeless value – a real frame of reference to guide the choice, content and modalities of implementing technical cooperation programmes intended "to further" the efforts of member States in pursuit of the objectives they share with the Organisation.

21. Thirdly, this subordination to the Organisation’s objectives does not prevent the nature of the link between standards and technical cooperation in this context from being understood in different ways. The most obvious, which has met with some success, consists essentially in avoiding discrepancies and ensuring a certain degree of complementarity between international labour standards and technical cooperation. This will be examined in Part II. At the same time, it will be borne in mind that any attempt to subordinate one to the other, in the form of conditionality, is impracticable. Other links may be forged, however, which may lead to the achievement of real synergy between standards and technical cooperation. Part III will examine the nature and the conceptual and material preconditions for such synergy.

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II. In search of harmony and complementarity

22. The ILO’s first technical cooperation activities were intended to assist governments in modifying their national law and administrative practice on the basis of the Conventions and Recommendations adopted by the International Labour Conference. In 1949, when the Conference authorised the ILO to participate in the Expanded Programme of Technical Assistance launched within the framework of the United Nations, it was from that very moment emphasised that this participation flowed from the commitment embodied in the Declaration of Philadelphia to collaborate with all international bodies which sought to achieve the social and economic advancement of the less developed regions, and it was clearly understood that the ILO’s operational activities should be conducted in full accordance with the Organisation’s objectives and standards.

23. The complementarity between the ILO’s standard-setting action and its operational activities has since been reaffirmed on several occasions by the International Labour Conference. It was thus, for example, that the resolution concerning technical assistance which was adopted by the Conference in 1954 underlined the need "to ensure the full integration of the
operational, research and standard-setting activities of the Organisation". Furthermore, the resolution adopted in 1961 concerning economic and technical assistance for the economic expansion and social progress of developing countries called upon the governments of developing countries to "establish plans for economic and social advance including the attainment of international labour standards" and to "endeavour to relate requests for technical cooperation to those plans in order to ensure that the aid available under technical cooperation programmes and projects forms an integral part of the implementation of such plans". Finally, the resolution adopted in 1979 concerning the ILO's technical cooperation programmes reaffirmed that the ILO's standard setting and technical cooperation were complementary and mutually reinforcing activities which were supported by tripartite discussion as well as the dissemination of information and research.

24. More recently, the discussion of the Director-General's Report on international labour standards in 1984 highlighted the need to strengthen the interaction between the ILO's standards and technical cooperation programmes and in 1987, following its most recent examination of the ILO's role in technical cooperation, the Conference reiterated that technical cooperation complemented and strengthened the ILO's standard-setting action. It also requested that the complementarity between these two means of action be strengthened, in particular by assisting developing countries in creating conditions more conducive to the ratification and application of standards, and by making greater use of technical cooperation resources to promote the link between standard setting and technical cooperation.

25. The approach adopted since the mid-1950s, when the Office put in place the first set of administrative arrangements aimed at ensuring coordination of operational activities and standard-setting work, consists mainly in ascertaining that no aspect of the ILO's technical cooperation activities is at variance with the ILO's principles and objectives, as set out in international labour standards. At the same time technical cooperation is used as far as possible to ensure better application of standards and to contribute to the development of new standards and the revision of existing ones.

26. This was essentially the approach adopted as a follow-up to the Conference's discussion on international labour standards in 1984. The analysis of the situation had shown that due to certain factors, including the considerable expansion of technical cooperation activities, the complexity of the mechanisms governing technical cooperation and the characteristics of technical cooperation staff, the importance which should be accorded to the link between ILO standards and action in the field had sometimes been overlooked. Measures were proposed to redress the situation. A circular was sent out in 1987 to recall what the orientation of the ILO's operational activities should be and to encourage all the departments and units concerned to strengthen the links between these activities and international labour standards. The application of this circular was given a new impetus when the Conference adopted the resolution concerning the role of the ILO in technical cooperation in 1987. A special team responsible for ensuring greater coordination between operational activities and standard-setting activities was appointed within the International Labour Standards Department and a number of practical measures were taken.

27. These measures, taken by the International Labour Standards Department and by the Technical Cooperation Department, consisted in the following: better informing and sensitising ILO experts and staff working in the field of technical cooperation as well as the ILO's partners in technical cooperation activities (UNDP, donors, representatives of beneficiary countries) with regard to international labour standards; improving the flow
of information between the International Labour Standards Department and the departments, units and persons engaged in technical cooperation; better highlighting, in documents relating to the preparation, execution and evaluation of technical cooperation projects, the links between these projects and international labour standards.

28. Among the measures for information and sensitisation, mention may be made of the publication of notes, brochures and documents relating to the links between standards and technical cooperation activities, some of which were prepared in collaboration with the Turin Centre, and the organisation of briefing sessions, information meetings or seminars in Geneva and in the regional or area offices. The International Labour Standards Department also made a special effort to draw the attention of the technical departments at headquarters, external offices and experts to the comments made by the supervisory bodies concerning the application of Conventions which could usefully be followed by action in the field.

29. On the whole these measures had positive results. They made it possible to sensitise technical cooperation staff and to a certain extent the ILO's partners in the field to the standard-setting dimension of technical cooperation and to ensure that in cases where difficulties jeopardised the application of certain fundamental standards relating to human rights, the protection of workers, or the application of ratified Conventions, the International Labour Standards Department was duly consulted. The Office's concern is to ensure that the technical cooperation activities for whose execution it is responsible do not allow the development of situations which are incompatible with the standards relating for example to freedom of association, forced labour, the payment of wages, the minimum age of admission to employment or equality between men and women workers.

30. All these measures constitute progress and should be continued. Nevertheless, they have still too rarely made it possible for technical cooperation to help in solving the problems encountered in the application of ratified Conventions and conversely, it does not seem that standards fully play their role as regards the choice and content of technical cooperation programmes. The question is precisely to find out how to achieve a real synergy between these two means of action, by using technical cooperation in a more dynamic manner to attain the constitutional objectives of the Organisation, as given concrete expression in the standards. This, however, is a much more difficult task and one which has been the source of misunderstanding.

31. The principal misunderstanding should be dismissed at once: conditionality is not the appropriate means to enable technical cooperation to play a more active role in achieving the Organisation's objectives.

32. It should be recalled that when the International Labour Conference adopted in 1977 the resolution concerning the strengthening of tripartism in ILO supervisory procedures of international labour standards and technical cooperation programmes it urged member States, in paragraph 3 of that resolution, to bear in mind the desirability of modifying to the extent possible policies of aid to States which, after examination by the appropriate machinery, had been found consistently to violate basic human, social and trade union rights. However, there is only one case, which pre-dates the above-mentioned resolution, in which this principle was applied and where the Organisation, following a decision of the International Labour Conference itself, refused to cooperate with a government which was guilty of seriously and persistently violating human rights. This case shows that the Conference has been able to take radical measures in an extreme case, where the government concerned had virtually excluded itself. However, this unique case
can hardly serve as a precedent and offer guidelines to deal with other less exceptional cases of violations of ILO standards.

33. The Governing Body has been called upon to discuss this problem or to take similar decisions in cases relating to infringements of freedom of association. At its 205th Session (February–March 1978) the Worker members of the Governing Body proposed that in cases where the recommendations of the Committee on Freedom of Association remained for a long time without being implemented, the ILO should have recourse to measures such as the withdrawal of technical cooperation, refusal to hold meetings and the closure of the ILO's field offices in the country where freedom of association was seriously violated. Other members, while conceding that such measures could be effective to some extent, observed that the refusal to conduct technical cooperation activities would affect only the workers concerned and would not facilitate a positive development in the situation. The Committee on Freedom of Association was consulted regarding this proposal and in its 193rd Report (February 1979) it considered that the application of the measures proposed would depend on the circumstances peculiar to each individual case and that it was up to other bodies, in particular the Governing Body, to take decisions in this regard, on the basis of the information which the Committee could provide concerning the seriousness of the violations of freedom of association and in the light of other factors, such as the consequences which these measures might have for the workers of the country in question and on the relations between the ILO and the country concerned.1 While the Governing Body approved this position, it nevertheless did not define precise procedures in this regard.

34. Finally, in the absence of a constitutional basis and precise instructions formulated by the Conference or the Governing Body, it is not within the power of the Office to take a decision to sanction violations of ILO standards by the withdrawal of technical cooperation.

35. The active and dynamic relationship between technical cooperation and standards can therefore not be sought by way of conditionality. It should be sought in genuine synergy whereby standards and technical cooperation mutually support each other. The conditions necessary for this synergy will be examined below.

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III. Standards and technical cooperation: A real synergy

36. The foregoing analysis indicates clearly that the ILO's activities must always be linked to a common objective from which they derive and which determines their interrelationship.

37. Although this relationship can never be viewed in terms of conditionality, it is not merely limited to coordination with the aim of eliminating the most glaring contradictions.

38. If it were left at that, it would not respond to the concern that is being expressed increasingly by the ILO's constituents, whether they be governments, employers or workers, namely the need to refocus the activities


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of the Organisation on its mandate and its own characteristics in order to be more coherent and efficient. The ILO can no longer engage in operational activities without paying sufficient attention to their raison d'être. The ongoing reflections about the respective roles of each agency within the system of international organisations, and the changing orientation of international policy concerning development aid, as decided by the General Assembly and implemented by the UNDP, our principal source of financing, oblige the ILO to redefine the nature of its contribution to the international community's efforts to assist developing countries.

39. A response to these concerns involves strengthening the organic ties between international labour standards and technical cooperation; that is, striving to create a real synergy between them. This synergy does not imply the application of any new policy, but calls for establishing adequate organisational means defined jointly with the decision-making bodies of the ILO.

40. It has to be ensured that:

(1) technical cooperation projects fall within the mandate of the ILO and that the Office has the technical competence to implement them;

(2) technical cooperation projects reflect the specificity of the ILO as a tripartite organisation which contributes to economic development in accordance with the ideals of social justice and respect for human beings;

(3) technical cooperation programmes are integrated coherently within the policies of member States, take into account the viewpoints of all ILO constituents and are the result of a true partnership.

Activities linked to the mandate of the ILO

41. The Organisation should, first of all, bear in mind that it has a central mandate from which it should not depart. The principles by which it is to be guided and the objectives which it should pursue are clearly set out in the Preamble of the Constitution and the Declaration of Philadelphia. As stated in that Declaration, "all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective".¹

42. This may seem self-evident. Yet, like other organisations, the ILO has gradually extended its action into fields which may have at best an indirect or marginal relevance to its central mandate. This has been one of the main criticisms of UN system technical cooperation made by the UNDP and multi-bilateral donors and, as far as the ILO is concerned, by numerous members of the Governing Body. The initiative for ILO participation in projects of this kind sometimes comes from ILO staff at headquarters or in the field, sometimes from field representatives of various agencies and sometimes from governments themselves. Such participation is often not difficult to justify. First of all, because the objectives assigned to the ILO in 1946 were by necessity defined in global and general terms, the ILO has over the years tended to interpret them in a somewhat broad and liberal manner, sometimes even at the risk of going beyond the specific responsibilities that

¹ Constitution of the ILO, Annex, Part II, para. (c).

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were originally conferred upon it. Consequently, the Office has been tempted — or has even been requested — to undertake projects having objectives that were only remotely linked to those which the Organisation should pursue as a matter of priority.

43. However, too great a diversity of projects does not enable the ILO to guarantee the required standard of quality and may raise doubts about the capacity of the Office to remain a valid interlocutor both for member States and for other international organisations in future.

44. The time has therefore come to refocus more sharply the Organisation's field of action and, in relation to the core mandate of the ILO, to make a careful inventory of the genuine areas of competence of the ILO, those in which its know-how is unanimously recognised by the international community, for which there is sufficient expertise compatible with available financial resources, and in which it must maintain or achieve a level of excellence.

45. For this purpose, each department has been invited to define its priorities for the years to come and, consequently, the nature and volume of the technical cooperation activities it can assume. It is vital to undertake, naturally with prudence, but nevertheless with determination, a thorough examination of the raison d'être of the ILO's operational and research activities. This means that, faced with certain choices, the ILO should have the right, not to shy away from but to refuse to embark upon activities and disperse its efforts in areas which are too peripheral to it. This concern is reflected in the paper concerning preliminary consultations on the Programme and Budget proposals for 1994-95 submitted to the present session of the Governing Body. This effort of clarification will be pursued throughout the budget exercise, in close cooperation with the Governing Body.

A specific kind of technical cooperation

46. The ILO's assistance and advice are not, and cannot be, purely technical. What distinguishes the ILO from the other organisations engaging in technical cooperation is that it has a framework of standards which prescribe the objectives to be achieved and the approach to be followed. Its technical cooperation activities should therefore not only fall within its specific competence but should also aim at the implementation of the objectives set out in the relevant standards, and, more generally, should follow an approach aimed at helping countries to embark on a process of economic development which is in conformity with the ideals of social justice and respect for human beings that are enshrined in its Constitution.

47. Several lines of action have to be taken into consideration in this regard.

48. The first aim of technical cooperation should be to assist member States in better applying Conventions. This idea is as old as the ILO itself, since the Constitution, in article 10, paragraph 2(b), already instructed the Office to accord "to governments ... all appropriate assistance ... in connection with the framing of laws and regulations on the basis of the decisions of the Conference and the improvement of administrative practices and systems of inspection". Moreover, it was because the technical assistance programme of the United Nations did not allow sufficient priority to be given

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1 GB.252/PFA/3/1.
to projects designed to ensure the application of ILO Conventions or to touch upon subjects at the heart of the Organisation's mandate, that the ILO decided as from 1955 to devote part of its regular budget to technical cooperation. Recently, the Conference has reaffirmed in the resolution concerning the role of the ILO in technical cooperation, which it adopted in 1987, that the regular budget for technical cooperation (RTTC) should give priority to those activities which aim at strengthening the links between standard setting and technical cooperation, the promotion of tripartism and assisting employers' and workers' organisations.

49. This approach should be followed in a systematic manner, favouring those activities intended to help governments in giving effect to the comments made by the supervisory bodies of the ILO, or in better applying the Conventions they have ratified, as well as the fundamental Conventions concerning forced labour, freedom of association, or discrimination, even if they have not been ratified.

50. Technical cooperation can also be used more systematically and more extensively to support and promote tripartism. This will imply not only increased assistance to employers' and workers' organisations as such but also a constant effort to associate them in technical cooperation activities in all fields. It will also imply greater attention to developing or strengthening tripartite institutions, machinery and procedures at the national level.

51. In a more general manner, and this constitutes a second approach, all technical cooperation activities should be assessed according to their contribution to the fundamental objectives of the Organisation.

52. Thus, nobody would imagine that the ILO could provide assistance and advice in the field of labour legislation without making explicit reference to international standards which are in force in that domain. A similar reasoning should gradually be applied to all fields of technical cooperation.

53. For example, employment and training, together with migration, were the fields in which the ILO commenced its activities in technical cooperation. Today they represent the major part of technical cooperation expenditure. It is evident that if employment is to remain one of the basic priorities of the Organisation, it cannot be just any kind of employment. The ILO can engage only in activities which promote, according to the Employment Policy Convention, 1964 (No. 122), "full, productive and freely chosen employment", employment which cannot give rise to any discrimination and which is performed in decent conditions, without economic exploitation and undue physical risks.

54. When the various bodies of the ILO express concern about the social consequences of structural adjustment, and when they demand, among others, an employment policy which is more in conformity with the values of the ILO, they are reiterating this need for synergy.

55. Likewise, the training activities which the ILO undertakes in member States cannot confine themselves to the transfer of technical knowledge. They must encourage the adoption of training policies which take into consideration the provisions of ILO instruments concerning human resources development. Thus, they must avoid giving rise to any discrimination both in access to training and in its content and the manner in which it is dispensed. They must also redress any inequalities which may exist between the various population groups and promote the participation of employers' and workers' organisations in the elaboration and application of training policies.
56. This use of technical cooperation to support standards does not mean blindly pressing for the ratification of all ILO Conventions or insisting upon the strict application of all their provisions by States which have not ratified them. Nor does it mean that every technical cooperation activity must necessarily be aimed at applying specific standards. But technical cooperation as a whole must fall within the perspective of a society which genuinely respects tripartism and the economic and social dynamics it implies.

57. It may be argued, however, that the main obstacle to the application of ILO standards lies in underdevelopment and poverty, and that the ILO should therefore tackle the solution of those problems as a matter of priority. It is absolutely clear that economic development is an essential prerequisite for progress and social justice. Many ILO Conventions - but not the basic Conventions on forced labour, freedom of association and discrimination, the application of which, as the ILO's bodies have constantly reaffirmed, should not be contingent on a country's stage of development or economic situation - presuppose the existence of minimum conditions of economic development in order to be applied. It is therefore incumbent on the ILO to cooperate with member States in helping them to achieve those minimum conditions.

58. The Conventions on minimum age of admission to employment can serve as an example. The ILO has pursued the aim of abolishing child labour long enough to know that it is useless to prohibit child labour if this amounts to condemning the children concerned and their families to death by starvation and that the most effective approach consists in combining action to combat the most unacceptable abuses with action aimed at creating the economic and social conditions that will make it possible to eliminate this scourge.

59. But it is equally evident that the standards themselves provide an enabling environment for development geared to the ILO's objectives: the Declaration of Philadelphia, in stating that freedom of expression and of association are essential to sustained progress and that poverty anywhere constitutes a danger to prosperity everywhere, was only saying what development specialists nowadays know well, namely that there can be no sustained development unless it is based on the participation of all concerned through free, representative and democratic organisations and takes into account on an equal footing the needs and aspirations of all population groups.

60. This enabling environment is first of all a state of mind, characterised by respect for the dignity, freedom and autonomy of everyone, solidarity and tripartism. It also implies the development of training and of technical and administrative skills and building up the institutions without which standards cannot be applied in practice. Finally, it means facilitating access to production resources and to employment.

61. Most of the technical cooperation activities undertaken by the ILO are in fact aimed at creating such an enabling environment; there are accordingly no grounds for apprehension that a closer integration between standards and technical cooperation would lead to an undue reduction in the ILO's activities in the traditional fields of technical cooperation. However, more systematic thought needs to be given in future to the mutual enrichment of the various activities of the ILO.

62. The approach outlined above may be illustrated by the case of the informal sector. As was pointed out in the Director-General's Report to the 78th Session of the Conference on The dilemma of the informal sector, "there can be no question of the ILO helping to 'promote' or 'develop' an informal sector as a convenient, low-cost way of creating employment, unless there is at the same time an equal determination to eliminate progressively the worst aspects of exploitation and inhuman working conditions in the sector". The

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Report also suggested that, while it had to be recognised that it would be totally unrealistic to expect ILO standards to be immediately applied in the informal sector, "we should look for practical and realistic ways of progressively improving the standards of protection of informal sector workers". The Report outlined a strategy for the informal sector that would simultaneously seek to achieve the four following objectives: to improve the productive potential of the informal sector; to improve progressively the social protection of informal sector workers; to develop an appropriate regulatory framework; and to promote the organisation of informal sector producers and workers. In assisting its member States to implement such a strategy, the ILO would first seek to obtain the commitment of the governments and employers' and workers' organisations in the countries concerned to these four objectives. ILO standards - beginning with its human rights standards and its standards concerning the elimination of child labour but subsequently also certain basic standards in such areas as social security and occupational safety and health - would serve as the goals to be attained progressively through a multifaceted programme of action.

63. This approach, which was broadly endorsed during the Conference discussion, and in the discussion at the Committee on Employment in November 1991, could well be extended to all fields of ILO action.

64. It is by proposing technical cooperation activities that are inspired by the ILO's standards and principles, by using technical cooperation to build the foundations for the application of standards and by using standards to design the contents of technical cooperation programmes in each country, that the ILO will affirm its specificity within the international development assistance system. This will bring about the concentrated action based on the ILO's comparative advantages, its structure and mandate which the International Labour Conference called for in the resolution concerning the role of the ILO in technical cooperation which it adopted in 1987: a technical cooperation programme marked with the seal of the ILO must help member States to implement the ILO's standards and principles.

65. However, this synergy works both ways, and technical cooperation should also influence the standard-setting work of the ILO. Standards and their supervisory system can only maintain their relevance and respond to the needs and capacities of member States if they are based on a thorough knowledge of the situation prevailing in member States. Experience gained in the field within the framework of technical cooperation is a valuable source of information both for an understanding of the practical difficulties encountered in the application of standards and for the determination of the areas or issues on which it would be appropriate to adopt new standards or to supplement or revise existing ones.

A policy of partnership

66. Finally, the endeavour to achieve greater synergy implies that any technical cooperation programme must be integrated coherently within member States' policies.

67. In other words, it is necessary to ensure that there is a consistency between that programme and the policy priorities - in the area in which it has to be carried out - determined by the very people who are to benefit from it. A programme that does not build upon such active support, which is imposed rather than genuinely desired, is doomed to failure, as the history of technical cooperation has only too often shown.
68. It is not superfluous to point out in this connection that in any technical cooperation activity - "cooperation" not being equivalent to "assistance" - the State benefiting from this activity and the ILO share a common responsibility as "partners in development". The Organisation commits its own moral authority, as recognised by the international community, at least as much as its technical reputation. It is natural and logical that its partner, the State, should commit itself no less clearly in terms of principles and objectives.

69. It is therefore necessary to examine systematically, at the national level, to what extent any future programme of action matches the priorities and general policy frameworks approved by the beneficiary State.

70. The ILO's representatives outside headquarters have been sensitised to this approach. During the past year they have been called upon to identify systematically the major objectives which should in the years to come provide the foundations for cooperation based genuinely on national priorities. They have been encouraged to obtain the collaboration of all the social partners and to gather not only the views of governments but also those of employers' and workers' organisations whose active support is crucial for the success of this work. In short, this involves applying as concretely as possible the principles of tripartite consultation, which have certainly demonstrated their vitality in the ILO's central decision-making bodies but have sometimes been difficult to put into effect where decentralised activities are concerned.

71. The results of this effort are highly encouraging. The process of reflection undertaken by all the ILO's representatives in the four continents has produced useful results. In the first instance, it has enabled syntheses to be prepared for each region and these have been put before the Governing Body at this session within the framework of the preliminary consultation on the Programme and Budget proposals for 1994-95. This process will be continued this year and in subsequent years with a view to acquiring a deeper knowledge of the major national priorities and objectives, through better consultation of the social partners in each member State and a fine-tuning of the strategies envisaged and of the ILO's programming methods. It will be backed up by a policy of decentralisation designed to bring the Organisation into closer contact with its member States and to translate the concept of "active partnership" into practical and daily reality.

72. The technical cooperation programmes so designed by common agreement will have to be monitored carefully on both sides, so as to ensure compliance with the objectives of the partners concerned throughout the process. In the event that the conditions agreed upon mutually were not met, the partners would have to reconsider their collaboration.

73. Thus, in the event of serious violation of the standards relating to human rights in a given country, or if the social situation in a country is persistently incompatible with certain basic standards, a review of technical cooperation activities would be undertaken. This would involve determining whether certain specific projects should be reoriented, accelerated, slowed down or discontinued in order to facilitate a return to a situation more compatible with the reciprocally accepted commitments. Here again, the Governing Body will be more closely associated in monitoring the implementation of technical cooperation programmes.

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74. To sum up, technical cooperation by the ILO has from its inception been intended as a means of pursuing the objectives of the Organisation. These objectives are outlined in the Constitution and the Declaration of Philadelphia. Over the years, they have been – and continue to be – given concrete expression through the adoption of Conventions and Recommendations by the tripartite representatives of member States. These international labour standards, and particularly those which set out certain fundamental rights, represent the considered view of the international community on social policy.

75. The need to ensure that ILO technical cooperation remains consistent with, and contributes to the attainment of, ILO standards has been repeatedly affirmed by the International Labour Conference. Action to strengthen the links between standards and technical cooperation, far from being a new departure, has been specifically called for by the Conference. A number of concrete steps have been taken in this direction, particularly since the adoption of the most recent resolution on technical cooperation by the Conference in 1987, and corresponding provision has been included in the approved Programme and Budgets for 1988–89, 1990–91 and 1992–93.

76. Such action has never been conceived of in terms of imposing a condition of ratification or application for extending technical cooperation or of using technical cooperation as a reward or punishment or of banning a member State from technical cooperation. It is aimed, first, at avoiding any conflict between ILO technical cooperation activities and the principles contained in ILO standards, especially those concerning fundamental human rights; secondly, at using technical cooperation, particularly regular budget technical cooperation, to assist member States in applying standards and in establishing the social and economic foundation for the more effective implementation of standards in practice; and thirdly, as the present document emphasises, in generating a real synergy between standards and technical cooperation through which each reinforces and enriches the other.

77. To achieve that synergy, the ILO must work in partnership with its member States. Such a partnership requires a joint determination of specific objectives and a mutual commitment on the principles to be observed. It requires, above all, a constant dialogue among the ILO and its tripartite constituents.

78. The approach outlined above is intended to give continuing effect to the policy consistently affirmed by the Conference of ensuring that ILO technical cooperation serves the objectives of the Organisation. It is an approach under which the relationship between international labour standards and technical cooperation is not a matter of conditionality but of consistency and coherence.