Minutes of the 273rd Session
Minutes of the 273rd Session

The 273rd Session of the Governing Body of the International Labour Office was held in Geneva, from Tuesday, 17 November at 3 p.m. to Friday, 20 November 1998, under the chairmanship of Mr. Nobutoshi AKAO (Japan).

Monday, 16 November, was devoted to a meeting of the Working Party on the Social Dimensions of the Liberalization of International Trade in which most of the Governing Body members participated.

The list of persons who attended the session of the Governing Body is appended.
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FIRST SITTING  
Tuesday, 17 November 1998, afternoon

The sitting opened at 3.10 p.m., with Mr. Akao in the Chair.

Fourteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

Sixth Supplementary Report: Obituary — Yvon Chotard

The Chairperson paid tribute to Yvon Chotard, former representative of the Government of France and Chairperson of the Governing Body. Besides being an extremely dynamic member of the Governing Body, Mr. Chotard had distinguished himself as one of its most able Chairpersons, a post he had occupied on two occasions, for the years 1991-1992 and 1995-96. The previous day the Director-General and a delegation of the Governing Body had attended the funeral of Mr. Chotard. A memorial book was placed in the Governing Body room and all those who wished to pay tribute to Mr. Chotard were welcome to do so.

Mr. Khorram (Government, Islamic Republic of Iran), speaking on behalf of the Government group, expressed grief at the death of Mr. Chotard. In his outstanding career he had served both his compatriots and the international community. He had been an asset to the ILO and to the Governing Body and had been appreciated by everyone who had had the pleasure of knowing him. His background in legal issues, political science and literature, his rich experience in both the private sector and public service, his contribution to social dialogue and the wisdom he demonstrated, enabled him to make an important contribution to the work of the Organization. He also played a key role in reforming the ILO and in promoting its principles worldwide. His remarkable contribution to the Organization would be dearly missed.

He thanked Mr. Cartier, the representative of the Government of France, for attending the funeral ceremony in Paris on behalf of the Government group, and requested the Director-General to convey the condolences of the Governing Body to the family of the late Mr. Chotard.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) shared the grief of the Government group and associated himself with the words of the Chairperson and the Ambassador of the Islamic Republic of Iran. As a person who had twice served as Worker Vice-Chairperson under Mr. Chotard, he confirmed his excellent qualities as Chairperson and his unstinting friendship for the ILO. He requested Mr. Blondel to pay tribute to Mr. Chotard on behalf of the Workers' group.

Mr. Blondel (Worker, France) recalled that Mr. Chotard, as the spokesperson of the French employers' organization, had been a loyal if sometimes difficult negotiator who had always been pragmatic and correct. In particular, he had helped promote negotiation and collective bargaining in the spirit of Convention No. 98.

As the representative of the Government of France on the Governing Body, he had shown himself to be a great promoter of tripartism and had always displayed humanism and tolerance. His election to chair the Governing Body for two terms of office indicated the confidence placed in him by its members. Passionately attached to the work of the Organization, he had remained realistic and sincere. At his funeral service all social partners and all workers' organizations had been present. Mr. Chotard had honoured the French representation and followed the line of previous outstanding individuals, such as Mr. Parodi, Mr. Ramadier and Mr. Ventejol.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) expressed grief at the loss of Mr. Chotard, with whom it had been a privilege to work. As an entrepreneur and head of various associations, he had been aware of the importance of economic efficiency, and this awareness had prompted his concern for social justice. He had been an independent man who remained true to his own beliefs and his responsibility towards society. The authority he enjoyed was only partly due to
Mr. Boussat (Employer, France) recalled that as President of the Social Committee of the French Employers' Organization, Mr. Chotard had played an essential role in establishing a new social dialogue and a contractual policy, whose positive effects could still be felt. Within the ILO he had made an important contribution to tripartism, and his humanism had led him to be involved in personnel questions, and his role in the Committee on Pensions was known to everyone.

Mr. Chotard contributed also to the preparation of the World Summit for Social Development, which took place in Copenhagen in 1995. He had succeeded in ensuring that the ILO would play an essential part in the development of the Programme of Action adopted at the Summit. He had also fought for permitting the social partners and the NGOs to play a constructive role. Furthermore, when working on the Declaration of Copenhagen, he had stressed the importance of the social dimension in future policies of structural adjustment. Mr. Chotard deserved to be honoured for these accomplishments.

Ms. Perlin (IMEC group) paid tribute to Mr. Chotard, who had been a major figure in the ILO. His work within the Organization had been characterized by wisdom and a deep commitment to social justice. These, together with his courtesy and cooperative spirit, had made him a friend and mentor of all members of the Governing Body, who were indebted to him for his profound contribution to the common effort. Mr. Chotard's death was a great loss to his family and his country.

Mr. Cavaglieri (Government, Italy) considered that the ILO had lost one of its most respected personalities, and he had lost a personal friend. He shared the grief of the French delegation.

Mr. Mishra (Government, India) expressed sorrow at the death of Mr. Chotard. He had shown great skill as a diplomat and an apostle of humanity, an example of civility, courtesy, consideration and grace, a gifted communicator with great energy and vitality. Working with Mr. Chotard had been an enjoyable and easy task. His outstanding personality would always be remembered.

Mr. Li Donglin (Government, China) expressed sadness over the death of Mr. Chotard, who had made an outstanding contribution to the activities of the ILO. He had been a faithful friend, who had promoted good relationships between the ILO and its member States, including China. He would be remembered with great affection.

Mr. Zahran (Government, Egypt) expressed sorrow at the death of Mr. Chotard, who had been one of the most eminent personalities in the Organization. He had made an outstanding contribution to the World Summit for Social Development and to the work of the ILO, and more specifically to the Governing Body. He had always given rise to immense feelings of respect and pride. He had been a brave and humanitarian person with a vision, who had shown concern for a united stand, tripartite dialogue and constructive work in achieving the goals of the Organization in serving humanity. He deserved the gratitude of the Governing Body for his services. He offered sincere condolences to his family.

Mr. Samet (Government, United States) expressed regret and sorrow at the death of Yvon Chotard and offered his thoughts and prayers to his family and friends. His monumental service to the ILO and the people that comprise it had been remarked by many. His presence had been enormous, and members of the Governing Body had judged their own contribution against the standard of Mr. Chotard. With his committed, fierce and proud personality he represented the best of France. He had always focused on the essential needs of humanity. The speaker recalled his memorable greeting "Chotard, France", which had been familiar to those who had worked with him. Mr. Chotard would be remembered in the Governing Body and thus he would remain in the hearts and memories of those who had loved him in his life.

Mr. Bahadian (Government, Brazil) offered his condolences on the death of Mr. Chotard. He had enjoyed a remarkable authority and reputation, and would be missed by all.

Ms. Janjua (Government, Pakistan) expressed deep sympathy at the passing of Mr. Chotard. He had been admired and respected for his experience and wisdom and would be remembered for his kindness and relentless pursuit of solutions to problems. He had visited the ILO Office in
Islamabad, and would always be remembered in Pakistan. She conveyed her condolences to his family and the delegation of France.

*Mr. Ducreux* (Government, Panama) expressed regret at the death of Mr. Chotard. Those who had worked with him had had ample opportunity to appreciate his qualities and his contribution to the ILO, to which he had devoted so much time and energy. He left a great void behind him. He joined other speakers in presenting condolences to his family.

*Mr. Kettledas* (Government, South Africa) offered his sincere condolences to the family of the late Yvon Chotard and to the Government and people of France. As one of the most recent members of the Governing Body, South Africa was greatly inspired by Mr. Chotard’s unswerving commitment to the ILO and its values. The perfect way to celebrate the memory of Mr. Chotard would be to pursue with greater vigour the promotion of social justice in the rapidly globalizing world.

*Mr. Yango-Sindo* (Government, Central African Republic) joined previous speakers in offering his condolences to the family of Mr. Chotard and the delegation of France. Mr. Chotard’s gentleness and sense of humour would always be remembered. The passing of a man of great culture, who had greatly influenced the ILO, was a great loss.

*Mr. Udogwu* (Government, Nigeria), speaking on behalf of the African members of the Governing Body, expressed deep sympathy at the death of Yvon Chotard. His contribution to the work of the ILO was outstanding. He presented his condolences to the French delegation and the family of Mr. Chotard.

*Mr. Babakissina* (Government, Congo) presented his condolences to the French delegation and the family of Mr. Chotard. He had made a great contribution to the work of the Governing Body.

*Mr. Cartier* (Government, France) thanked speakers for their tribute to the memory of Mr. Chotard and thanked those who had participated in the religious service in Paris. Everything that had been said would be transmitted to his family. The tributes were particularly welcome, as he had devoted the last ten years of his life to the ILO, whose work he had joined quite late.

He remembered his optimism, vitality, humanity and regard for others, and especially his joy in life. Men such as Yvon Chotard were a strong source of optimism in others. He would be greatly missed.

The Director-General associated himself with the tributes to the memory of Mr. Yvon Chotard. His experience of tripartism and of social dialogue, his independent spirit, profound humanity, his faith in the Organization and its mandate of social justice, and the expression of his faith in a God of justice and peace had been precious.

During a period when responses were urgently needed to the major changes occurring in the world of work, he had pushed the Organization ahead. The fact that the Governing Body had twice elected him as its Chairperson spoke for itself. His great voice and his words would be missed.

His adhesion to the ILO and its values had also led him to lend his services as a conciliator on behalf of the Office staff. As a member of the Board of the United Nations Joint Pension Fund he had always sought negotiated agreements, thereby showing that, as a representative of the ILO, his managerial qualities could reinforce the promotion of social concerns. The Office was grateful in particular for that.

The Governing Body observed one minute’s silence in memory of Mr. Yvon Chotard.

The Governing Body adopted the recommendation in paragraph 7 of the report.

First item on the agenda

APPROVAL OF THE MINUTES OF THE 271ST AND 272ND SESSIONS OF THE GOVERNING BODY

Subject to the corrections received, the Governing Body adopted the minutes of its 271st and 272nd Sessions.
Second item on the agenda

PORTFOLIO OF PROPOSALS FOR THE AGENDA OF THE INTERNATIONAL LABOUR CONFERENCE AS OF ITS 89TH SESSION (2001)

*Mr. Brett* (Worker, United Kingdom; Worker Vice-Chairperson) noted with satisfaction that, by comparison with 1997, the Office had received approximately 30 per cent more government responses to consultations on the portfolio, and that tripartite consultations had taken place in several countries. He asked in which countries those consultations had taken place, as the example might encourage others to follow a similar course.

It was not always clear on what basis certain changes had been made to the items in the portfolio. Why had contract labour been removed from the portfolio with a mere promise that it would be reinstated "in due course"? The Conference had adopted a clear decision that the item should be included in its agenda within four years. Consequently, the item had to be returned to the portfolio at the latest in 1999, and it made little sense to remove it at present. He proposed that the item be reinstated in the portfolio.

As regards the items on the short list in paragraph 308 of the paper, the Workers' group gave priority to standard setting. This meant: (a) New measures concerning discrimination in employment and occupation; (c) Promotion of cooperatives; and (f) Recording and notification of occupational accidents and diseases. These three items should be left on the short list for discussion at the March 1999 session of the Governing Body even if the final choice of two items would not be made solely from among these. The only item involving a revision — Use of hazardous substances — Revision of Conventions Nos. 13 and 136) — should definitely be considered.

Moreover, items E.9 (Prevention of sexual harassment at the workplace), B.3 (Youth employment) and J.26 (Social impact of globalization) should be added to the short list for consideration in March 1999. It would be helpful if the necessary preparatory work could be done by then.

The Workers' group also suggested that research be expedited on the following subjects presently listed under "Other proposals": J.23 (Export processing zones); J.25 (Multinational enterprises and social issues); J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions); J.28 (Transnational labour relations); and J.29 (Prevention of psychosomatic disorders and mental stress).

*Mr. Thüsing* (Employer, Germany; Employer Vice-Chairperson) expressed satisfaction that in their replies governments had indicated greater appreciation for a general discussion. His interpretation of paragraph 308 was different from that of the Workers: these items were most on which the Office had completed research. However, that did not mean that they had been selected for early consideration.

He was somewhat surprised to see that certain items proposed by the Employers had been retained under a different heading, as this had modified the content of the proposal. The Office might wish to approach the spokespersons of the groups with a view to ensuring before March 1999 that this would not recur.

As regards the items in the portfolio, he proposed to delete A.1 (New measures concerning discrimination in employment and occupation). It was very difficult to prove that Convention No. 111 did not apply to the circumstances which had arisen since its adoption. The proposal was therefore superfluous.

Whereas item B.2 (Investment and employment), had been proposed by the Employers, investment was now presented as serving social purposes. This was not what the Employers had in mind: investment had a positive impact on employment and should therefore be promoted. This item should be short-listed for a general discussion with a modified approach.

The Employers were also pleased to see item B.3 (Youth employment) on the list. The Conference resolution called urgent attention to this issue, and the discussion of this item should also take into account the question of vocational guidance and promoting the interests of young people in entrepreneurship. The item should be included in the short list.
On the question of the promotion of cooperatives, the Employers had divided views. Their communal aspects and government ties were not entirely compatible with the traditional private sector, but cooperatives could provide good examples of a special form of entrepreneurial activity. If this aspect was emphasized, the subject could be a very important one; it should be pointed out that cooperatives should not be allowed to distort competition, as that would be detrimental to small and medium-sized enterprises. Rather, they should compete in a fair manner with private, traditional enterprises. The Employers would on this understanding welcome the subject.

Item C.5 (The ILO's contribution to peace-building operations), should stay in the portfolio, but not on the short list.

Item D.6 (Alternative forms of labour conflict resolution) could be put on the short list on the understanding that all forms of conflict resolution would be taken into account, thereby permitting groups in different cultural settings and levels of development to find the appropriate method.

Item D.7 (Workers' participation in decision-making at the level of the enterprise), should be taken off the list. The concept had originated in Germany, where it was introduced after 1945; it should be understood within the context of social relations and labour law in Germany, and was difficult to implement in a different legal context. The idea of treating the subject in the ILO at a global level should therefore be discarded.

Item E.8 could stay in the portfolio if it was reworded to include flexibility and new working time arrangements. The Employers could not accept the subject if it only concerned the reduction of working time.

Item E.9 (Prevention of sexual harassment at the workplace) should definitely not be on the short list, and could be removed from the portfolio. The subject was too serious to be considered in the present heated climate when lucrative lawsuits were eagerly sought by unscrupulous lawyers. Moreover, the subject concerned society as a whole, not only the workplace. National legislation normally provided remedies for sexual harassment. Civil law required employers to intervene and protect workers, and criminal law was also relevant. These remedies were sufficient for the time being. Although the Office indicated a strong preference for this item, it should only be considered at a later stage.

Item E.10 (Prison labour) could stay in the portfolio if it was not restricted to privatized contexts.

The Employers had no objection to item E.11 (Hours of Work and Rest Periods (Road Transport — Revision of Convention No. 153), but did not feel that the subject was sufficiently topical to be included in the short list.

Item F.12 (Recording and notification of occupational accidents and diseases) could stay in the portfolio if it were limited to occupational accidents only. Accidents and diseases were different and should be treated separately.

Item E.13 (Prevention of biological hazards in the workplace) could stay in the portfolio but need not be included on the short list.

The Employers questioned the inclusion of item F.14 (Use of Hazardous Substances — Revision of Conventions Nos. 13 and 136) when the substances referred to in those Conventions were no longer in use.

Item F.15 (Guarding of Machinery — Revision of Convention No. 119) should not be placed on any list. Much preparatory work would have to be done before the subject could be considered. Items E.16 (Marking of Weight (Packages Transported by Vessels — Revision of Convention No. 27), and E. 17 (Maximum Weight — Revision of Convention No. 127), were superfluous and should also be deleted.

Item G.18 (Social security — Issues and prospects) was an important subject. However, its description did not correspond to its title. It should not be approached in the conventional way, but should limit the discussion to the possibility of extending social security to various groups of workers, including those in precarious situations. The portfolio experiment, which was a successful one, had been introduced in order to maintain flexibility and to react to changes throughout the world. The conventional, well-established social security systems in developed countries had reached their limitations and were facing serious difficulties, in particular due to the demographic factor.
These systems hence had to be re-examined and a balance sought between social security, social solidarity and the responsibility of the individuals for their own security. This could often be witnessed in developing countries in which the social security provided by the State was of only limited scope.

The recent financial crisis in Asia had revealed that hundreds of thousands, or even millions of people, had fallen through the social safety net. Ways should therefore be found to establish a safety net based on solidarity. It was thus important to retain the subject, albeit with a different content and a more modern, topical approach.

Turning to item H.19 (Employment of women), he asked why the subject was not listed under section B, together with the two other items on employment. This item would presumably permit the consideration of the obstacles women had to overcome in acceding to jobs and in their careers. The subject should remain in the portfolio and should also include education and training aspects.

The revision of Conventions Nos. 6, 79 and 90 concerning the night work of children and young persons should also remain in the portfolio.

Item J.21 (Public sector employment) had originally been proposed as "modernization of the public sector". Under this title it would be an important subject for the short list.

Item J.22 (Privatization of enterprises) had been suggested by the Employers under the title of "the impact of privatization on employment". It should either be short-listed under this title or not at all. No clear decision had been reached on item J.23 (Export processing zones).

The informal sector was an exceptionally important area for employment, as it held great potential, and some parts could gradually come within the formal sector. Item J.24 should therefore remain in the portfolio.

Item J.25 (Multinational enterprises and social issues) should definitely not be on the short list. The ILO already had the Tripartite Declaration, and multinational enterprises should not be dealt with separately.

Preparations for item J.26 (Social impact of globalization) was not very far advanced. A general discussion could be envisaged at some point, but even in that case the subject had to be further specified. It could be retained in the portfolio.

Item J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions) should be deleted. Whereas the Tripartite Declaration should be promoted and observed, the possibilities of labour administration varied widely. It was for governments to decide, whether, in promoting the Declaration, it would be appropriate to involve their labour administration. The topic would not be suitable for a discussion at the Conference.

Item J.28 (Transnational labour relations) involved questions of participation in decision-making. It was a multifaceted, problematic subject and should be deleted from the list.

Item J.29 (Prevention of psychosomatic disorders and mental stress) should also be deleted. Mental stress was far from uncommon, but the subject was not ripe for discussion.

Items J.30 (Substance abuse at the workplace) and J.31 (Working and employment conditions of ageing workers) could stay in the portfolio, but the Employers would not give it their preference.

Items J.32 (Employment of migrant workers) and J.33 (Seafarers and fishermen) were not topical.

Item J.34 (Better collaboration and coordination with United Nations agencies and bodies in the field of working life) was an important subject and should be taken up later in an appropriate form. It should therefore remain in the portfolio.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) requested clarification on whether the Employers wished to delete the revision item on occupational safety and health. The revision items had been proposed by the Working Party on Policy regarding the Revision of Standards and had been endorsed by the Governing Body. It would therefore be odd to delete them at this point.

Mr. Thüring (Employer, Germany; Employer Vice-Chairperson) confirmed that the Employers did not want to have the revision items deleted, but wished to keep them in the portfolio.
Mr. Bahadian (Government, Brazil) proposed that research and consultations be accelerated on the following items: A.1 (New measures concerning discrimination in employment and occupation); B.2 (Investment and employment); B.3 (Youth employment); and F.12 (Recording and notification of occupational accidents and diseases). These should be followed by J.28 (Transnational labour relations), D.6 (Alternative forms of labour conflict resolution), D.7 (Workers' participation in decision-making at the level of the enterprise), C.4 (Promotion of cooperatives) F.17 and F.14, the revision of Conventions Nos. 127 and 136.

With regard to the proposals to be examined in greater depth at the March 1999 session of the Governing Body, his preferences were B.2 (Investment and employment), C.4 (Promotion of cooperatives), D.6 (Alternative forms of labour conflict resolution), G.18 (Social security — Issues and prospects) and H.19 (Employment of women).

Mr. Salmenperä (Government, Finland) regretted that his Government's points of view had not been taken into consideration in the Office paper, in spite of the fact that in Finland serious preparatory work had been done together with the social partners and comments on the portfolio had been sent to the Office. He hoped that the Finnish opinion would be better reflected in the next portfolio of proposals.

It seemed that the degree of advancement in the preparation of a subject determined the choice of an agenda item, and this was somewhat arbitrary. However, in the interest of topicality, the Governing Body should have the flexibility to disregard the fact that some items had been better prepared than others. For example, items such as the protection of workers' personal data and contract labour had been set aside, whereas subjects of perhaps lesser importance had been retained. The inclusion of these items on a waiting list would ensure that they were not completely forgotten.

Further work should be done on the items concerning the employment of an ageing workforce and the organization of work to promote lifelong learning and better productivity, as already proposed by his Government. The preparatory work on item C.5 (ILO's contribution to peace-building operations) was welcome. It should, however, include the additional aspects of the functioning of industrial relations and protection of or support to trade unions in conflict-stricken areas.

As regards the choice of items for the agenda of the Conference in 2001, he gave preference to A.1 (New measures concerning discrimination in employment and occupation), C.4 (Promotion of cooperatives), F.12 (Recording and notification of occupational accidents and diseases) and C.5 (ILO's contribution to peace-building operations), on the understanding that the focus would be on areas in which the ILO's expertise was strongest. In this respect more structured preparatory work would be welcome.

Mr. Zahran (Government, Egypt) proposed that item B.3 (Youth employment) be included in the agenda for the Conference in 2001 for a general discussion. The increasing levels of unemployment among young people represented an obstacle to social justice and social development. Although women's employment had increased considerably, item H.19 on this subject should be given priority. Women were still in occupations that required fewer qualifications and yielded less income, they faced discrimination and were more vulnerable to the effects of structural adjustment programmes. Promotional policies were needed to ensure equality of income and rights.

Item B.2 (Investment and employment) should be retained for a general discussion. More research and preparatory work should be done on this subject. In view of the radical changes in social security systems, a general discussion on item G.18 (Social security — Issues and prospects) would also be important.

With regard to standard-setting activities, the following subjects should be given priority: A.1 (New measures concerning discrimination in employment and occupation), in order to adopt a Protocol to Convention No. 111, the ratification of which would be optional. Of the two alternative solutions proposed by the Office, he favoured the first, namely to allow States to ratify the Protocol and to choose which of the additional grounds listed in it they would wish to accept as obligations under the Convention. Item C.4 (Promotion of cooperatives) should be addressed with a view to adopting a Recommendation which would apply to all member States and not only to developing countries. Item C.5 (ILO's contribution to peace-building operations) should be discussed in order
to assist countries which had experienced great tragedies and in order to draw up policies and a new standard.

The discussion of item F.12 (Recording and notification of occupational accidents and diseases) should lead to the updating of the list of occupational diseases. The Office's new code of conduct on the notification of occupational accidents and diseases and its research on fatal accidents were appreciated. He also preferred item F.13 (Prevention of biological hazards at the workplace).

As regards item F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136), the proposal could be modified to allow for a Protocol to the Chemicals Convention, 1990 (No. 170), which would take into account white lead and benzene and would thus make Conventions Nos. 13 and 136 obsolete.

Item F.15 (Guarding of machinery — Revision of Convention No. 119) should be suspended until the two Office reports, the relevant national legislation and the question of transfer of technology had been examined.

With regard to item F.16 (Marking of Weight (Packages Transported by vessels) — Revision of Convention No. 27) he supported the proposal to carry out preliminary studies for 2002-03. The scope of the Convention should be extended to include the transport of containers, and a more modern approach should be adopted to evaluate hazards in this field.

Item F.17 (Maximum Weight — Revision of Convention No. 127 of 1967) should be postponed until the Office had carried out the necessary studies and analysed and evaluated relevant national legislation. The Office should promote preventive policies in this field.

More in-depth studies were needed concerning items D.6 and D.7, which should be postponed. Item E.8 also required further study, but it should nevertheless be retained.

Item E.9 (Prevention of sexual harassment at the workplace) should be further studied before even considering the idea of drawing up a new standard. The Employers had been right in pointing out that this was a moral issue and in some cases could be covered by criminal law.

Item E.10 should be retained until further research had been completed. An explanation would be welcome concerning the connection between conditions of prison labour and the privatization of prisons. Item E.11 also needed further research.

Item I.20 (Employment of children and young persons) should be postponed until the completion of the second discussion on the new instruments. Only then could the revision of Conventions Nos. 6, 79 and 90 be considered.

Item J.21 (Public sector employment) should be considered for a general discussion after evaluation of the results of the forthcoming joint meeting on the development of human resources in the public service in the framework of structural adjustment, which was to be held in 1999.

Item J.22 (Privatization of enterprises) should be retained together with item J.23 (Export processing zones) and item J.26 (Social impact of globalization). Item J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions) should be further studied within the framework of follow-up on the Declaration on Fundamental Principles and Rights at Work and its Follow-up.

Mr. Melas (Government, Austria) indicated the following preferences for the Conference in 2001: B.3 (Youth employment); D.6 (Alternative forms of labour conflict resolution); D.7 (Workers' participation in decision-making at the level of the enterprise); E.8 (Working time); F.12 (Recording and notification of occupational accidents and diseases); and J.31 (Working and employment conditions of ageing workers).

Ms. Wiklund (Government, Sweden) welcomed the fact that the Director-General had once again addressed all member States on the content of the portfolio. In Sweden, tripartite consultations had been held in the framework of the national ILO Committee, which had expressed appreciation for the entire list and the grouping of subjects as a basis for future discussions and choices of items for the Conference agenda. Whereas the national Committee had not intended to exclude any of the items, it considered that item E.9 (Prevention of sexual harassment at the workplace) should be extended to other kinds of victimization at work. Additional research and preparatory work on this item should be extended accordingly. Further preparations should also be undertaken on item G.18 (Social security — Issues and prospects) including equality of treatment between men and women.
Items A.1 (New measures concerning discrimination in employment and occupation), F.12 (Recording and notification of occupational accidents and diseases) and C.4 (Promotion of cooperatives) should be discussed in greater depth in March 1999. The latter should be considered for a general discussion and possibly with a view to adopting a Recommendation.

Mr. Tetkin (Government, Ukraine) proposed that item B.2 (Investment and employment) be given priority in view of the need for developing and transition countries to attract foreign investment and the interest of developed countries in ensuring that their investments resulted in social and economic development. Although Ukraine had tried to create a favourable investment environment and had offered state protection to foreign investment, the volume of foreign investment was insufficient to improve the country's social and economic situation. Its present social, economic and financial difficulties were related to the management of the consequences of the Chernobyl disaster. Foreign investment would contribute to the solution of these problems, while bringing economic advantages to Ukraine's foreign partners. The ILO could and should play an important role in intensifying investment flows and attracting financial support from international financial organizations as well as from private and state bodies in developed countries.

Ms. Voskuhl (Government, Germany) acknowledged the usefulness of the portfolio, but was surprised to see that items which had received little support had repeatedly been included together with new proposals. The number of proposals thus increased from year to year. Of the present 34 proposals, nine were completely new.

With regard to the setting of new standards, she gave priority to C.4 (Promotion of cooperatives), however, only with a view to adopting a Recommendation. Item F.12 (Recording and notification of occupational accidents and diseases) also deserved attention, but only if it was limited to occupational accidents. As regards a subject for revision, item F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136) would be welcome if it led to a Protocol, as proposed in paragraph 184 in the Office paper. Her Government had sought the revision of Convention No. 27 for many years, and this would have been its first choice. For a general discussion, item C.5 (ILO's contribution to peace-building operations); item G.18 (Social security) and item H.19 (Employment of women) should be given priority if the subject concerning the employment of young people could not be prepared in time. If it could, then it would be the ideal subject for a general discussion.

However, item D.6 (Alternative forms of labour conflict resolution) was not suitable.

Mr. Kettledas (Government, South Africa) expressed appreciation for the detailed and succinct portfolio proposals and emphasized the importance of the following items: A.1 (New measures concerning discrimination in employment and occupation) because in spite of the progress made in eliminating such discrimination new forms of discrimination had come to the fore; if these were not addressed, they stood to negate the successes achieved within the traditional seven grounds for discrimination. Since the adoption of Convention No. 111 in 1958, new grounds for discrimination had emerged in national and international legislation. Whereas the importance of Convention No. 111 could never be called into question, it should be complemented by a Protocol that took new grounds of discrimination into consideration. The list of new grounds would have to be accepted when ratifying the Protocol. This item should be examined in greater depth at the March 1999 session of the Governing Body for inclusion in the agenda of the 89th Session of the Conference in 2001.

In view of the grim employment situation all over the world and the cost of neglecting social concerns, he reiterated his Government's support for a general discussion on items B.2 (Investment and employment) and B.3 (Youth employment). It was important to ensure that investment contributed to social goals and that the processes of capital accumulation respected social considerations. Unemployment among young people worldwide remained considerably higher than for adults as a whole. Because of the particular vulnerability of young people to unemployment, the Conference should work on an international level to combat against it.

He also welcomed the proposal to develop standards of universal scope and to promote cooperative principles worldwide as a means of empowering civil society to reach economic and social goals through self-help. The scope of Recommendation No. 127 was limited, in that it did not take into consideration political, social and economic developments that had led to changes in the
operation of cooperatives in developing countries and in economies in transition. Item C.5 (ILO’s contribution to peace-building operations) was also important, especially in view of the limitations of existing instruments and the need to bring these into line with present realities.

Economic adjustment measures had often led to the erosion of workers’ protection and an increase in labour disputes. Mechanisms for handling them should therefore adapt to the present industrial relations landscape and should help social partners move away from adversarial approaches. Item D.6 should therefore be chosen for a general discussion. Item D.7 (Workers’ participation in decision-making at the level of the enterprise) was related as one way of promoting consultation and social dialogue by enabling workers to participate in such decision-making. He supported this topic for a general discussion.

It would be useful for the Organization to examine trends in national law and practice concerning the organization of working time and the regulation of working hours, particularly in view of the impact of investment flows and international subcontracting of production on the exchange of labour services.

Item E.9 (Sexual harassment at the workplace) should be included in the portfolio for further research and standard setting. Item G.18 (Social security — Issues and prospects) was particularly relevant in the light of the new realities and the profound impact of globalization on social security.

As regards the other proposals, the Office should prepare reports on the following items for possible inclusion in the portfolio: J.21 (Public sector employment); J.24 (Informal sector) including specific occupational health and safety issues concerning that sector; J. 26 (Social impact of globalization); J. 27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions); and J. 34 (Better collaboration and coordination with United Nations agencies and bodies in the field of working life).

Mrs. Iwata (Government, Japan) considered that the following criteria should prevail: the subjects should be of interest to as many member States as possible; they should contribute to solving the problems of developing countries; and should cover fields which relate to many industries and many workers. With regard to standard-setting activities, priority should be given to the revision of existing Conventions and Recommendations, rather than adopting new standards. In order to avoid the adoption of controversial or ineffective standards, both the revision of existing standards and the adoption of new ones should be preceded by a general discussion on the topic.

She proposed that, in addition to the second discussion on safety and health in agriculture, the following items be selected: B.2 (Investment and employment); and F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136). Both should be the subject of a general discussion. As the current severe employment situation was expected to last for a while, it would be useful for developing and developed countries to discuss investment possibilities that might create employment. The subject also fell within the strategic objectives of the ILO. The question of hazardous substances was of major importance to the social partners, and it would be useful to start with the revision of these outdated Conventions by examining the subject in a general discussion.

Mr. Cavaglieri (Government, Italy) proposed for the Conference in 2001 item B.2 (Investment and employment) with a strong emphasis on employment generation for young people and women. Should it not be possible to treat this complex question in a satisfactory manner, item H.19 (Employment of women) and item B.3 (Youth employment) should receive attention at subsequent Conferences. Item A.1 (New measures concerning discrimination in employment and occupation) was particularly topical in Italian public opinion. If a revision item was selected, priority should be given to F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136) and I.20 (Night work of children and young persons — Revision of Conventions Nos. 6, 79 and 90). The total abolition of child labour should be reached step by step, therefore, if this subject would be covered by forthcoming instruments, the item should not be pursued. However, as long as the final target was not achieved, the revision of these Conventions would be useful. Item G.18 (Social security — Issues and prospects) should also receive serious consideration.

Mr. Ju (Government, Republic of Korea) stated that the relatively low participation of women in the labour market would increase in the coming century and their employment and protection would hence become one of the prevailing issues. Ever-changing technology, production materials and working environments created new stresses and resulted in industrial accidents and occupational
diseases. The changes in working hours that had occurred in developed countries would spread to developing countries. He therefore proposed the following items: B.2 (Investment and employment); B.3 (Youth employment); E.8 (Working time); E.9 (Prevention of sexual harassment at the workplace); F.12 (Recording and notification of occupational accidents and diseases); G.18 (Social security); and H.19 (Employment of women).

The financial crisis in Asia had shed light on the importance of social security nets. It was therefore recommended to undertake further research and consultation in the field of social security in relation to and with a fresh light on various aspects of social safety nets. The following items should also be further examined: C.4 (Promotion of cooperatives); J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions); J.26 (Social impact of globalization); J.25 (Multinational enterprises and social issues); and J.24 (Informal sector). In view of the various types of discrimination in violation of the basic principles of Convention No. 111, it was desirable that a Protocol supplementing the Convention be adopted.

Mr. Liu Xu (Government, China) considered that the portfolio had been improved and provided a good basis for selecting Conference items. His choices were: Investment and employment; Social security — Issues and prospects; Employment of women; and Alternative forms of labour conflict resolution. All these topics should be dealt with in a general discussion. The Office should provide additional information on these subjects, thereby enabling the Governing Body to make a final selection in March 1999.

Mr. Sarkar (Government, Bangladesh) considered that the portfolio accurately reflected the ILO's prime concern to establish universal and lasting peace by ensuring social justice at the workplace, and to promote a more just and equitable world order in the coming millennium. His short list of priorities included: Investment and employment; Employment of women; Youth employment; Employment of migrant workers; and Social security — Issues and prospects. The other items could be retained in the portfolio.

Mr. Babakissina (Government, Congo) thought that the items included in the portfolio were all relevant. Sections A to I were the most relevant. Item A.1 (New measures concerning discrimination in employment and occupation, should lead to normative action). The items in sections B and C should be dealt with in a general discussion. The items in section D should be regarded as standard-setting activities, whereas those in sections F, G, H and I, should be treated in a general discussion with a view to developing strategic plans. As regards section J, some of the items, particularly those concerning public sector employment, privatization of enterprises, and the informal sector, which related to the globalization of the economies, merited further research.

Mr. Caballero (Government, Colombia) proposed that the question of employment be considered in terms of the items on investment and employment, and youth employment. The ILO's contributions to peace-building operations should also be treated in a general discussion with the objective of formulating action programmes in this field. Existing international labour standards could be a basis for the ILO's peace-building activities.

Mr. Poisson (Government, Canada) supported the portfolio, although in certain respects it was lacking. It was difficult to relate some of the subjects to the key orientations of the ILO. The subject chosen should be related to the plurality of ILO action, as described in the programme and budget. Moreover, the subjects chosen should be of interest to a large number of countries.

The following subjects should be included in the short list: D.6 (Alternative forms of labour conflict resolution); J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and the application of ILO core Conventions); and F.12 (Recording and notification of occupational accidents and diseases).

Further subjects which merited additional research were the prevention of sexual harassment at the workplace, with the possible inclusion of other forms of harassment; and the ageing of the workforce, which was likely to gain importance in the years to come.

Ms. Engelen-Kefer (Worker, Germany) disagreed with the proposal by Mr. Thûsing to delete item D.7 (Workers' participation in decision-making at the level of the enterprise), from the short list and from the portfolio. What Mr. Thûsing had called an exotic flower had actually been handed to the Workers by the Employers. However, the topic was no longer so exotic, as the European
Union had already drawn up guidelines for workers' participation and had prepared information on this subject for workers' representatives in European multinationals. Directives concerning the participation of workers in national enterprises were currently being developed.

She recalled that, in the merger of Mercedes and Chrysler, the German model of workers' participation had been retained, and for the first time an American workers' representative had been granted a position on the Board. The topic was therefore very important and went beyond the national framework. It should be seen to what extent there was support for the subject to be included in the agenda of the Conference.

Mr. Samet (Government, United States) found the document a useful indication of possible priorities. However, it would be easier to decide in March 1999. The presentation of the subjects as individual items did not necessarily bring out the more general picture of the world of work emerging from the document as a whole. It would be useful if ways could be found to be more coherent and ensure that the subjects had broad relevance.

It was also important to discuss the themes that could be presented to the ministerial meeting at the Conference as the central concerns of the Organization. Most themes listed in paragraph 308 contained elements which captured the most important priorities of the Organization, but their formulation did not do justice to them. Whereas each of the items had received some support, the paper did not provide a clear target or a short list of targets that could obtain a consensus as priority themes.

The Asian financial crisis had highlighted questions related to globalization and the impact of trade investment and capital flow, and had given renewed importance to labour market policy and social safety nets. These questions should be discussed as soon as possible, and hopefully not later than 2001.

The importance of a dynamic and effective labour sector, transparency, accountability and sustained economic growth had been stressed by many. The Government of the United States regarded trade unions as positive elements in long-term economic growth and social stability. Some of the items might be combined for a discussion of the contribution of labour unions to economic development. Other subjects that should be combined were the integration in the labour force of youth, the disabled and women, as well as subjects related to human rights and basic standards. There was also considerable interest in the safety and health dimension, but this subject should be combined with the question of productivity, as this would highlight the fact that health and safety measures benefited workers, employers and the economy as a whole and promoted productivity and economic growth. The issues of new forms of work, work organization and the impact of new technology were important subjects. Conventions and Recommendations should be discussed in a broader context and in a more organic way with a view to determining an ILO labour code for the twenty-first century. It would also be useful to discuss the present structure of the standards system.

The Office paper in March 1999 should offer a more coherent, integrated thematic presentation than the present one, as the Organization's priorities should be presented as clearly and concretely as possible. This was important both for the ILO and the wider public, which looked to the Organization for leadership in these fields. Thirty years previously the ILO had been distinguished with the Nobel Peace Prize in recognition of its ability to connect thematically with the concerns of the time. The ILO should set itself a similar goal for the year 2001, perhaps by structuring the annual Conference in a slightly different way.

Mr. Cartier (Government, France) recalled that two of the three technical subjects treated at the Conference of 1998 (child labour and employment creation in small and medium-sized enterprises) had been very successful, whereas the third (contract labour) had collapsed. This traumatic experience should serve as a lesson and should remind the Governing Body that it was important to select well-prepared themes.

The portfolio was a major initiative, and offered a wide range of subjects: he agreed with the previous speaker that some items should be regrouped to give a more thematic and topical vision. Several topics related to the question of employment should be structured with a view to developing meaningful proposals addressing topical issues. Particular attention should be given to paragraph 308 which identified topics that were at a reasonably advanced stage of preparation.
For 2001 the items: Social security — Issues and prospects; and the Promotion of cooperatives, should receive priority. These were universal themes which should receive priority attention. Item F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136) the preparation of which was equally advanced, should be selected as a revision item. Each of these three items was mentioned in paragraph 308.

Ms. Correa (Government, Senegal) praised the Office for the quality of the portfolio. She wished to see included in the list the proposals which related to the improvement of the economic environment within the framework of social justice and human rights. The following items should therefore receive priority: B.3 (Youth employment); B.2 (Investment and employment); J.24 (Informal sector); H.19 (Employment of women); and J.31 (Working and employment conditions of ageing workers).

Mr. Iñiguez (Government, Argentina) thought all the items in the portfolio important. However, in the light of the economic and social transformations in Argentina, the following merited particular attention: B.3 (Youth employment); D.6 (Alternative forms of labour conflict resolution); D.7 (Workers’ participation in decision-making at the level of the enterprise); F.12 (Recording and notification of occupational accidents and diseases); F.13 (Prevention of biological hazards in the workplace); G.18 (Social security — Issues and prospects); J.25 (Multinational enterprises and social issues); and J.26 (Social impact of globalization).

Ms. Sosa Márquez (Government, Mexico) congratulated the Office on the portfolio. The priorities should be: B.2 (Investment and employment); B.3 (Youth employment); F.12 (Recording and notification of occupational accidents and diseases); F.13 (Prevention of biological hazards in the workplace), however, with a different formulation, such as “fulfilling the standards of hygiene in the workplace”; E.8 (Working time); H.19 (Employment of women); G.18 (Social security — Issues and prospects); F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136); and J.21 (Public sector employment). The question of training and employment should also be included in view of its vital importance for labour markets, which as a result of globalization and technological change required human resources with greater abilities, flexibility and adaptability.

Mr. Mejía Viedman (Government, Chile) congratulated the Office on the portfolio. Work should be accelerated on the following topics: A.1 (New measures concerning discrimination in employment and occupation), as everything that strengthened respect for fundamental human rights in the field of labour should be permanently supported; B.2 (Investment and employment); and B.3 (Youth employment), should be included because structural transformations affected not only economies but also social development, especially that of young people. C.5 (ILO’s contribution to peace-building operations) went back to the origins of the ILO and was still very important.

Progress was also needed in the resolution of labour conflicts, social security and the promotion of fundamental rights. These subjects were hence very important. All the subjects in the short list were of great significance. However, as a choice had to be made, he proposed B.2 (Investment and employment) and G.18 (Social security — Issues and prospects). A recent study undertaken by the UNDP had highlighted the problems and changes created by globalization and the general climate of insecurity. Employment and social security were hence crucial.

Ms. Niven (Government, United Kingdom) echoed the views expressed by the Government representative of Japan that standard-setting activities, including the revision of existing standards, should always be preceded by a general discussion.

In terms of the follow-up on the Declaration, priority should go to items on employment, social protection, and social dialogue, in line with the strategic objectives outlined by the IMEC group in the Programme, Financial and Administrative Committee. It was hence important to undertake further work on item J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions). The revision of the Conventions concerning night work of children and young persons was also relevant.

The employment-related items, such as youth employment, employment of women, promotion of cooperatives, and investment and employment, were also of great importance. She asked whether there would be an employment conference so that final decisions could be made accordingly.

The effects of globalization and the financial crisis had exposed the importance of social security. The United Kingdom proposed that the World Bank examine this subject in terms of their
general principles of good practice and social policy. In relation to social protection, it might be relevant to explore item J.31 (Working and employment conditions of ageing workers).

Besides the question of social dialogue, item J.34 (Better collaboration and coordination with United Nations agencies and bodies in the field of working life), especially in relation to cooperation in the field, merited further work.

At the March 1999 session of the Governing Body, further consideration should be given, depending on the decisions concerning employment, to: H.19 (Employment of women); G.18 (Social security — Issues and prospects); and F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136).

Mr. López-Monís (Government, Spain), referring to the Office’s proposals in paragraphs 308 and 310 of the paper, proposed item A.1 (New measures concerning discrimination in employment and occupation), for a new instrument. F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136); and H.19 (Employment of women) should be chosen as a revision item and as a subject for general discussion, respectively. Further work should be undertaken on B.3 (Youth employment) and E.8 (Working time).

Mr. Mndzebele (Government, Swaziland) proposed that the following topics be selected for a general discussion: B.2 (Investment and employment); D.6 (Alternative forms of labour conflict resolution); C.4 (Promotion of cooperatives); E.10 (Prison labour: Conditions of work in a situation of privatization); G.18 (Social security — Issues and prospects); and I.20 (Night work of children and young persons — Revision of Conventions Nos. 6, 79 and 90). Other proposals would include J.24 (Informal sector) and J.27 (The role of labour administration in the promotion of fundamental principles and rights at work).

As several of these items were not included in the short list in paragraph 308, he proposed that the Office undertake further work to prepare them. He commended the Office on a very comprehensive paper.

Ms. Janjua (Government, Pakistan), referring to item A.1, stated that her Government had no difficulty in principle in expanding the scope of non-discrimination. Indeed, for countries to progress, they should expand their social obligations over and above those contained in the core Conventions. Convention No. 111 had foreseen this and included a provision allowing governments to undertake obligations in areas other than those detailed in the Convention. Greater use should be made of this provision. However, Convention No. 111 should not be tampered with in any way, for a number of reasons: first, it would be procedurally tedious; secondly, rather than expanding the grounds for discrimination, the instrument could be diluted; thirdly, a number of countries might not be able to make commitments regarding the expanded list of grounds for discrimination and would find it difficult to adhere to the Convention.

As regards an additional Protocol, in principle the Government of Pakistan was not opposed to it. If and when the question was considered, it would favour the listing of additional grounds from which ratifying governments would be able to choose. No core grounds should be included in the list. Consequently, she supported the first option referred to in paragraph 19. Some of the additional grounds listed in paragraph 15 would be difficult to accept as a result of Pakistan’s social and cultural context. The Protocol would not be part of the ILO’s set of core Conventions.

Concerning the choice of subjects which should be prepared for the March 1999 session, she proposed: J.26 (Social impact of globalization); B.2 (Investment and employment); H.19 (Employment of women); and E.10 (Prison labour: Conditions of work in a situation of privatization).

The subjects selected for the Conference in 2001 should be topical. The East-Asian financial crisis was such a topical issue, and so were some of the issues mentioned by the representative of the Government of the United States. There was a definite need to examine the social impact of globalization and the challenges it posed to economies. It should not be restricted to social safety nets, for as could be seen in the Asian crisis, it had major financial implications. Instead of focusing on one specific area, the crisis should be analysed in a more global perspective.

Mr. Ducreux (Government, Panama) proposed that in March 1999 the following items be discussed: B.2 (Investment and employment); C.4 (Promotion of cooperatives); E.9 (Prevention of sexual harassment at the workplace); J.26 (Social impact of globalization); D.6 (Alternative forms
of labour conflict resolution); F.14 (Use of hazardous substances — Revision of Conventions Nos. 13 and 136); F.17 (Maximum weight — Revision of Convention No. 127 of 1967); F.15 (Guarding of machinery — Revision of Convention No. 119); and H.19 (Employment of women). Half of these subjects were also included in the short list in paragraph 308, which meant that they had reached a reasonably advanced stage of preparation.

Mr. Schlettwein (Government, Namibia) stated that it was difficult to understand why standard setting on the one hand, and research and consultations on the other, were regarded as two distinct priorities. Standard setting was often preceded by research and consultation.

When selecting priorities for the agenda of the Conference, all items in Sections A, B, D and G should be included. Under E, the first item was particularly important. H.19 (Employment of women), was also of interest, but it could be discussed either in connection with basic human rights at work, or with employment, or both. Furthermore, discussions should be held on the following: J.23 (Export processing zones); J.24 (Informal sector); and J.26 (Social impact of globalization).

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) expressed disappointment at the fact that the Employers proposed to delete from the portfolio every item of interest and advantage to the workers. According to the Employers, A. Basic human rights at work, should be deleted; in B.2 (Investment and employment) employment should be deleted; C.4 (Promotion of cooperatives) should be restricted to entrepreneurs. This was surprising, as the biggest retail cooperative in the world had been started by seven people in 1838 in Rochdale, Lancashire. They had not been entrepreneurs, merely people who acted collectively to benefit a greater good. D.7 (Workers' participation in decision-making at the level of the enterprise) was also to be deleted, together with E.9 (Sexual harassment at the workplace); J.23 (Export processing zones); J.27 (The role of labour administration in the promotion of fundamental principles and rights at work and in the application of ILO core Conventions); J.28 (Transnational labour relations); and J.29 (Prevention of psychosomatic disorders and mental stress).

Was this sabotage of the portfolio approach by the Employers? It was rare to witness such a consummate expression of reaction, and Mr. Thüsing surely deserved some award for his performance. The Employers had merely to listen to the Government and Workers' benches to enlighten them as to real needs. All aspects of the portfolio were valuable, and hopefully the Employers would abandon this attempt to torpedo the portfolio system.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) expressed surprise at Mr. Brett's statement, as he had included in the short list some of the themes mentioned by the Workers; whereas he had proposed that certain items be deleted from the portfolio, he had been ready to keep others. On the question of cooperatives, he had a different view than that of the Workers, but he was ready to discuss it. There seemed to be a series of misunderstandings, as he was clearly in favour of promotion of cooperatives.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson), referring to the introductory statement by the Chairperson, recalled that the task of the Governing Body was not to select two items for the Conference in 2001, but to agree on a short list from which two items would be selected in March 1999.

The representative of the Director-General (Mr. Tapiola, Deputy Director-General) found the discussion useful and reassured speakers that their statements would be reflected in the next edition of the portfolio.

The Asian crisis had been mentioned several times, but it was difficult to foresee how it would affect the discussion in the year 2001. It might be a standard-setting discussion, if not for a Convention then for a Recommendation. This topical item had been the reason for developing the investment and employment theme. Mr. Thüsing had been quite right to point out that the item in the present portfolio had been modified as compared to the previous one. This had been done in order to include the comments made on this subject, as well as the developments affecting it. However, if the Governing Body decided to select an item for the short list, it would not appear in a different form in the forthcoming portfolio.

The Office would for March 1999 further develop those items which had been selected for the short list and would continue to work on others, which could be examined in November 1999 when the Governing Body would again examine the portfolio. There was a dilemma concerning items
which had received little support. If the Office took them off the list, some might ask why. On the
other hand, was it possible to continue adding new subjects? This indicated a need for feedback
between the November discussions to enable the secretariat to take developments into account when
preparing the portfolio.

The question of contract labour had not been included because the Office had felt that this was
not the appropriate moment. However, at a later point it would certainly return.

Some subjects had been preferred by one group but opposed by the other. In such cases, the
Office retained the item in the portfolio. Broad, tripartite agreement on a topic by the Governing
Body had a different consequence for the discussion in the Conference.

Mr. Samet had asked whether it would be possible to select a theme somewhat closer to the
actual Conference debate. When considering a standard-setting subject, the preparations took 18
months to two years because the Office had to prepare a questionnaire, collect the replies from
constituents, draft a text on the basis of the replies, and circulate it for comment. If an item was
selected in March 1999, this procedure could be completed only in time for the Conference in 2001.
Even if a different approach were chosen for the general discussion, the Office would have to wait
until the political discussions had taken place.

As regards the classification of the items, the Office had followed the decisions taken by the
Governing Body. However, a more coherent presentation was perhaps possible.

Among the items which should be prepared for the March 1999 session, B.3 (Youth
employment) had received quasi-universal support and B.2 (Investment and employment) had been
supported by the Employers and a very large number of Governments. Next came C.4 (Promotion
of cooperatives) which had the support of both groups; A.1 (New measures concerning
discrimination in employment and occupation); and G.18 (Social security).

A further possible category included items that had received considerable support, but not as
much as the previous ones. These were: F.14 (Use of hazardous substances — Revision of
Conventions Nos. 13 and 136); D.6 (Alternative forms of labour conflict resolution); and F.12
(Recording and notification of occupational accidents and diseases).

Among those items which had been included in the short list, little support had been given to
C.5, ILO's contribution to peace-building operations, or H.19 (Employment of women). Whereas
the item had received extensive comment, the choice was clearly between this subject and youth
employment. It could hence be included in a short list for a final decision.

As regards E.9 (Prevention of sexual harassment at the workplace), there had been strong
feelings both for and against. The Office would take this into consideration together with what had
been said on other items, such as: night work of young persons; export processing zones; the
informal sector; the public sector; the social impact of globalization; multinational enterprises;
workers' participation in decision-making (with a slightly different approach); working time; labour
administration; older workers; and prison labour.

All the items in paragraph 308 could be retained, with the exception of the ILO's contribution
to peace-building operations, which would be replaced by youth employment and the employment
of women. That would make a list of nine items from which the agenda items could be selected in
March 1999.

Mr. Samet (Government, United States), referring to the question of the timing of the decision
concerning conference agenda items, asked whether all the items were regarded as standard-setting
items. Some time was needed for a Convention or a Recommendation, but even in such a case the
decision should be taken in March 1999.

As regards the consensus on a short list, summarized by Mr. Tapiolá, it was an extraordinary
coincidence that it was almost identical to the short list presented in paragraph 308 of the Office
paper. This was troubling, as it indicated that the discussion had not been fully taken into account.
In his earlier statement he had stressed the need to refocus the topics in order to include a number
of concerns. It was insufficient to say that there had been a long discussion but that, in the end, the
Governing Body had confirmed the Office's proposal.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) believed that all members of
the Governing Body could come to various arithmetical answers. He himself was surprised to see
the question of investment and employment receive such a high mark. The Workers' group had certainly not supported it, but would nevertheless not oppose its inclusion in the short list. He felt some sympathy with Mr. Samet's point, because as the members of the Governing Body gave indications to the Office that they would like to see further preparations on certain topics, they hoped that, when returning in a year's time, the list of items on which the Office had advanced preparations would be a much longer one. The problem was related to preparations concerning the subject in question. If the Governing Body added six new items to the list, it would not be possible for the Office to prepare them all.

There was a difference between standard-setting and general discussion items, and there were still major issues which required standard setting. He expressed disappointment at the reluctance of the Employers and some Governments to accept standard-setting items; when a subject was not of great importance, it had been brushed away as irrelevant, and when highly relevant subjects had come to the fore, they had been called too complicated. There were many issues in the portfolio which, at present, might be difficult to deal with due to lack of sufficient knowledge. However, these problems would not disappear, and this applied to sexual harassment and the participation of workers in decision-making, a subject rejected by the Employers. He hoped that some progress could be made in this respect. However, this would require a will on the part of the Employers to engage in a genuine discussion. Unfortunately, that sentiment had not shone through the Employers' statement.

Mr. Thusing (Employer, Germany; Employer Vice-Chairperson) had the same impression as the representative of the United States Government: Mr. Tapiola seemed to have returned to the short list he had outlined without taking into consideration the comments made on the Office paper. That meant that the work accomplished by the members of the Governing Body had been superfluous, as the Office alone decided the items to be discussed at the Conference. This seemed somewhat patronizing.

The Employers had clearly stated those items on which they wished the Office to undertake further research with a view to including them in the short list. The related misunderstanding was no doubt due to the stress of the day.

The representative of the Director-General (Mr. Tapiola, Deputy Director-General) said that the Office was trying to reach a balance between two types of criticism: on the one hand the Office was accused of predetermining decisions and of adhering to its original plan in spite of long discussion. On the other, the Office had not sufficiently prepared the proposals, and items were being selected without having reached an adequate level of maturity. It was extremely difficult to balance these two criticisms.

Replying to Mr. Samet, he stated that the contents of the portfolio had evolved in the course of the discussion. At present, everybody had a better perception of the direction to take in the coming years. The description of each item indicated whether the Office proposed the item for a general discussion or for standard setting. However, this indication included considerable flexibility, and it was the Governing Body, which in March would decide in which way it wished to approach the subject.

Responding to Mr. Thusing, he recalled that he had clearly stated that there were two winning subjects, namely youth employment and investment and employment. As the item on youth employment was not in the original list in paragraph 308, the inclusion of this subject had already modified it. The subjects coming next in the short list, which clearly merited consideration, included cooperatives, new measures of discrimination in employment and occupation and social security. The other group of possible subjects included alternative forms of labour conflict resolution, occupational accidents and diseases, and the revision of Conventions Nos. 13 and 136. At this stage there had been no indication that the subject of peace-building would be ready. The same could be said about the employment of women, but this would certainly have been opposed. These nine subjects more or less coincided with the Office's list. The dilemma faced by the Office made it difficult to be both innovative and responsive. He suggested that the Governing Body accept the nine themes at present and consider the remaining items at the next discussion of the portfolio in November 1999.
Mr. Samet (Government, United States) expressed sympathy with the dilemma the Office faced. However, he renewed his earlier request that the presentation of the themes should integrate a broader base of concern and better communicate the aims of examining them. Mr. Tapiola had not replied on this point.

The representative of the Director-General (Mr. Tapiola, Deputy Director-General) stated that the Office would provide a more transparent presentation for the next session. However, the Office would have to do its best within the current system of classification, which formed the basis of its work.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) pointed out to Mr. Samet that, whereas thematic general discussions could be broader based, standard-setting items had to be very precise. At this point there were nine subjects, of which three were possible standard-setting items, one of which could be a revision and one of the other six chosen for a general discussion. However, of these nine only two would be chosen. Therefore a distinction had to be made in the preparatory processes.

Mr. Thûsing (Employer, Germany; Employer Vice-Chairperson) considered that the list was becoming progressively weaker and more diluted. However, he accepted it as it stood, as it still included sufficient items for discussion in March 1999.

The sitting closed at 7.20 p.m.
SECOND SITTING

Wednesday, 18 November 1998, morning

The sitting opened at 11 a.m., with Mr. Akao in the Chair.

Third item on the agenda

FOLLOW-UP ACTION ON THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK AND ITS FOLLOW-UP

The Director-General recalled that follow-up on the Declaration on Fundamental Principles and Rights at Work, adopted by the International Labour Conference in June 1998, had already been the subject of discussions in the Programme, Financial and Administrative Committee in connection with the resources that such action implied. The issue now under discussion was the time-frame and modalities to be applied. Here it was essential to bear in mind the more general context in which the Declaration, as a promotional instrument, had been adopted.

The Organization’s credibility would be further enhanced if the Declaration was implemented at the earliest possible opportunity; it was therefore imperative for the Governing Body to agree on the relevant time-frame. It was proposed that this should begin with the 2000-01 biennium; consensus was therefore vital to permit the preparation of decisions in March and November 1999. The Governing Body was invited to indicate to the Office the nature of the documents it required to render such decisions possible.

After the timetable, an examination of the forms requesting information would be necessary; as part of the follow-up these forms would be addressed to the governments of States not having ratified the fundamental Conventions. He recalled that out of a potential 1,218 ratifications of the said instruments, 230 were still outstanding. The Committee on Legal Issues and International Labour Standards had noted the encouraging results achieved since 1995 in the form of 98 new ratifications, and it could be assumed that this process would continue. Hence, these requests for information would probably, over time, become less frequent. The system needed to be approved at the March 1999 session of the Governing Body, failing which the forms could not be forwarded to the relevant governments in time for the preparation of an initial annual review for March 2000. Given that the new instrument on child labour had still to be adopted, the Office had not considered it appropriate to prepare the requests for information in respect of all four fields addressed by the core Conventions. If, however, the Governing Body believed that all four issues should be covered as of March 1999, the Office would endeavour to respond positively, it being understood that child labour could be covered subsequently in the light of the instrument to be adopted at the International Labour Conference in June 1999. Once approved, the simplified, standard forms would be forwarded to each government not having ratified one or more of the fundamental Conventions.

They should be designed to permit an evaluation of progress achieved towards the implementation of fundamental principles and rights; on this basis, the nature of the assistance that the Organization was able and bound to supply could be more readily determined.

Another important decision related to the group of independent experts and the modalities applying to the preparation of annual reviews. The terms of reference to be attributed to the new group of experts, together with its membership, could be determined in the forthcoming year: taking the present discussion into account, the Office would prepare an interim report on these aspects for the March session, and if the decision was not yet ripe it could be postponed until November.

Reports, together with the information requested, should reach the Office by late November 1999; these would be analysed and presented to the group of independent experts, which should meet at the beginning of the following year. Within the space of a week, the experts should be in a position to produce their report listing the points they wished to place before the Governing Body for examination at its March 2000 session. With regard to the global report, no decision was required at this stage; the document merely listed a number of items which should be reflected upon.
It was evident that the Declaration's implementation presupposed the preparation of reports by qualified staff. The Office paper mentioned the possible establishment of a bureau for that purpose. Initially, four or five officials would prove sufficient; no new major structure was considered necessary. The creation of this dedicated nucleus of officials was vital to foster the Declaration's vocation as a promotional instrument, and not simply as another part of the supervisory machinery. In this context, two major questions needed to be resolved. Should the nucleus work in isolation, or be integrated into the broader action deployed by the Governing Body in relation to economic globalization? The Declaration offered an opportunity to supply assistance to States in their commitment to respect a set of principles as globalization unfolded. Consequently, should the team not be associated with others whose task it was to analyse the broader economic environment? In that event, the team having produced the country studies (which appeared to have been appreciated) presented to the Working Party on the Social Dimensions of the Liberalization of International Trade should also be involved. Secondly, the team working in the field of multinational enterprises might also be associated. Structurally, he believed that the new team and the International Labour Standards Department — given their need to cooperate — should report to the same member of the general management.

Clearly, the Declaration's implementation was inconceivable without the relevant technical cooperation programme. Such assistance was the logical consequence of an expert analysis of the difficulties encountered by States. The Declaration being so vast in its scope, all Office units would in some way or another be involved in its application; but three major types of assistance programme required further attention. The first related to freedom of association, collective bargaining and social dialogue; the second regarded child labour; and the third concerned the issue of discrimination in employment and occupation. Forced labour was an issue of a different nature and required action of a legal order; it was not, therefore, part of the same complex. Technical cooperation needed to be targeted at these three principles whenever States experienced difficulties in respecting them. A series of existing major programmes were already clearly linked to the Declaration and its follow-up: the IPEC programme in relation to the elimination of child labour was one immediate example. More and Better Jobs for Women was a further example in relation to discrimination issues. A number of donors had contributed to development programmes supporting freedom of association, the creation of employers' and workers' organizations, and the promotion of collective bargaining and social dialogue in various parts of the world, including Latin America and Eastern Europe. Further large-scale programmes had been deployed in Africa. However, no integration process of these projects had so far been initiated; perhaps the Declaration's follow-up offered an opportunity to create a third programme, equivalent to IPEC and More and Better Jobs for Women, focusing on freedom of association, collective bargaining and social dialogue. This would mean closer involvement in the Declaration's implementation of three relevant technical departments: RELPROF, TRAVAIL and EMPLOI.

Subject to any modifications to be made by the incoming Director-General, it was advisable to establish a special unit; at the same time, a team within general management should harmoniously combine the efforts deployed in analysing local situations and delivering the appropriate technical cooperation programmes. The general management team should comprise the Director-General, the Deputy Director-General responsible for international labour standards, and the Assistant Director-General in charge of technical departments; the officials selected from individual departments (the three above departments together with the International Labour Standards Department) and the relevant major programmes would report to the general management team. Ultimate responsibility for the follow-up action would be borne by the Director-General.

In conclusion, he gave his assurance that all opinions and suggestions voiced would be carefully gathered in such a way that the incoming Director-General was in a position to set the entire process in motion at the beginning of his term of office.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) offered thanks to the Director-General for the Office paper and his explanation. The paper guided the reader carefully through this complex subject-matter and raised a number of issues not yet examined by the Governing Body in detail; it was therefore now important to discuss these. The Director-General had been right to point out that the Declaration's adoption was no longer the issue; the discussion was now of a more technical and organizational order, yet still complicated. The distinction between
the fundamental principles addressed by the Declaration and the core Conventions was not always clearly understood; but this should not be permitted to reduce the effectiveness of the action now to be considered.

With regard to the timetable for setting the follow-up in motion, the Employers were aware of the difficulties that lay ahead. He recalled the procedure established in 1995 for the promotion of ratifications; now, the Organization was to embark on the follow-up action on the Declaration. A harmonious transition from one process to the other was vital. The Office's proposals in this respect were welcomed, though his group had certain doubts as to whether the major modifications could be made as early as 1999; it did, however, agree that the first area for focus should be freedom of association.

Turning to the annual reviews regarding the situation in non-ratifying States, he welcomed the proposal to establish a standard questionnaire or request for information; this instrument would prove to be essential. It was however important to ensure that it was not excessively elaborate. It should, rather, offer an opportunity to view general situations and developments. If the experience acquired with the new form indicated that the document did not offer sufficient guidance for its completion, modifications could subsequently be introduced.

With regard to the group of experts, the Employers were generally in favour of its establishment. Its membership and methods of work required examination, though it appeared advisable not to model it on the Committee of Experts on the Application of Conventions and Recommendations, given that the latter had a different role. The procedure for the selection of members should be addressed with the utmost care; a background as jurist was not necessarily the primary qualification and a sensitivity for positions taken by the Organization's groups was desirable. Indeed the groups should be requested to present proposals. This was vital if the new group of experts was to command major confidence. This approach did not rule out the eligibility of members of other bodies within the Organization. The proposal that the group consist of three members appeared acceptable.

In respect of a possible bureau to be established within the Office and charged with the preparation of annual reviews, he inquired from which departments and branches the officials should originate and whether the team servicing the Working Party on the Social Dimensions of the Liberalization of International Trade would be associated with this activity. It appeared advisable not to include the International Labour Standards Department in this effort: its vocation was a different one. Moreover, it was advisable for the newly established team to report to a different member of the senior management structure in order to ensure that there was no merging with the efforts deployed by the Standards Department.

When the annual review was examined by the Governing Body, any States addressed directly by the review should be given an opportunity to make a succinct statement; no such statement should be prejudicial in respect of other issues concerning that State. If such a practice were admitted and established, no amendments to the Standing Orders would prove necessary.

In respect of the global report, his group had noted that various information sources might be resorted to, including the outcome of procedures conducted in other international organizations; the Employers believed that this provision should be restricted to include only United Nations common system bodies.

The respective roles of the Governing Body and the International Labour Conference in the new procedures required careful scrutiny. In this respect, it was advisable for the Governing Body, in a preliminary examination, to establish a priority list of issues on which the Conference, subsequently, should voice its opinions. The global report should then be dealt with separately from the Director-General's Report to the International Labour Conference, given that the latter served a different purpose. At the Governing Body's preliminary discussion, it could be decided, on a case-by-case basis, whether the global report should be dealt with in a Conference committee or at a special sitting of the International Labour Conference; the relevant decision would be taken in the light of the importance and complexity of the issues contained in each year's global report.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) observed that the Declaration's existence was no longer the issue; it was now necessary to ensure effective follow-up.
On behalf of the Workers, he thanked the Director-General for his clear introduction to the matters now under discussion.

He expressed appreciation of the role played by the Employers' and Government groups at the International Labour Conference in June 1998. It was significant that there had been no opposition to the adoption of the Declaration, even if a few had felt prompted to abstain. He commended the Office on the speed with which it had responded to the wish, voiced inter alia by the Employer spokesperson in June, to proceed with the preparation of meaningful and credible follow-up. With the aid of the preliminary work conducted by the Office, a number of pressing decisions were now possible.

He cautioned against the termination of the ratification campaign launched in 1995, as this might be misconstrued by those unacquainted with the Organization's workings and thereby weaken the efforts hitherto deployed to bring about greater adherence to core labour standards. Over 200 ratifications were, after all, still outstanding. Moreover, his group's preference went to the inclusion of all four fields of rights from the very outset of the new procedure's application (with child labour being incorporated in the light of the new Convention to be adopted in 1999). The forthcoming special report due in 1999 on freedom of association should not be abandoned to make way for the new procedures.

As regards the group of experts, it was not realistic to exclude jurists from its composition. A complete legal understanding of the premise from which the Declaration gathered its moral force was vital. Moreover, the group had to be composed of persons of the same high calibre as those sitting on the Committee of Experts on the Application of Conventions and Recommendations. Otherwise, its credibility might be impaired in any comparison between the two bodies. The group of experts should also be independent of the Organization's other groups, so as to ensure the experts' credibility. The Office should therefore seek out qualified individuals for a body to work separately from the Committee of Experts on the Application of Conventions and Recommendations and from the Governing Body itself. This follow-up should, after all, be promotional in nature; hence, countries scrutinized by the new body should not be able to call into question the probity or independence of its judgement. Governing Body influence on that judgement might weaken credibility.

The authoritative sources of information used for the compilation of the global reports should not be restricted simply to those available within the United Nations system. Moreover, the global reports should be transmitted, without any initial analysis on the part of the Governing Body, from the new group of experts directly to a special sitting of the Conference for discussion. If such a procedure proved unsuccessful, subsequent modifications might be examined. At a later stage the Governing Body would be given an opportunity to react to the Conference discussion by providing for appropriate technical assistance. It was also important that a potential double jeopardy situation be avoided. The proposed timetable, though tight, appeared acceptable and the Workers were in a position to give their broad support to the various points for decision.

On the issue of the number of experts to be appointed to the new independent group, the most important objective was to ensure that enough persons were selected to accomplish the task credibly. His group also supported the idea of setting up a special, multidisciplinary structure within the Office. Although this should not be placed in the International Labour Standards Department, the team should be adequately equipped with the relevant expertise. Whereas the team should in no way work in isolation, its establishment should not lead to major restructuring on the pretext of cooperation with a broad section of Office departments. He was confident that the relevant decisions could be left to the discretion of the incoming Director-General, though it might appear advisable for the team to report to the same member of the general management as the International Labour Standards Department. In any event, coherence should be guaranteed between the work of this bureau and other Office units.

Ms. Perlin (Government, Canada), speaking on behalf of the IMEC Governments, expressed thanks for the Office paper, which provided useful guidance for the discussion. The effective and comprehensive implementation of the Declaration required a well-targeted, multifaceted programme of action relying on the efforts and reorientation of various departments, including those dealing with standards, technical cooperation, research, publications and public relations. The follow-up should have clear objectives and strategies drawing on resources from all parts of the Organization; it
should be equipped with a clear management structure and channels for reporting back to the Governing Body on results and achievements.

The promotional nature of the Declaration and its follow-up clearly required a new orientation for existing procedures, including those pertaining to article 19 of the Constitution. The annual review should be designed to determine the situation in non-ratifying States on the basis of information regarding efforts deployed and progress achieved in implementing the Constitution's principles and objectives rather than in compliance with detailed provisions of specific Conventions. In this way, obstacles could be identified as well as means of action to overcome them through technical assistance and advisory services. Hence, it would prove necessary to articulate principles and objectives for all four areas of rights addressed by the Declaration; this would permit the establishment of indicators which would act as benchmarks for the measurement of general trends. On this basis questionnaires could be formulated to solicit the appropriate information. These requests for information should be simple, with standard categories of questions wherever possible. The first annual review of the four categories of principles would require constructive efforts on the part of governments. A high response rate was most desirable. Field structures and multidisciplinary teams could assist in the preparation of replies. The annual report was not a legal exercise, but dealt with social, economic and political issues. The new group of experts hence required a different range of skills and experience. IMEC governments proposed the establishment of a five-person group of independent experts chosen on the basis of personal qualifications and enjoying the confidence of all constituents. The annual review should serve as the basis for discussion in a Governing Body plenary committee permitting the participation of non-members of the Governing Body, together with the group of experts, wherever appropriate.

The global report would generate interest from the media and the international community; it was thus vital for it to provide an overview of trends at country and global levels with regard to the observance of fundamental principles and rights at work. Similarly, it should reflect the ILO's endeavours to promote the Declaration and consequently to assist its constituents in realizing its objectives. The report should highlight fundamental trends with a view to a focused discussion. IMEC governments favoured a discussion of the global report at a special sitting of the International Labour Conference. The discussion could be utilized as a basis for a plan of action regarding technical cooperation. IMEC governments supported the proposed timetable to govern the various reports in the way it was presented in the Office paper. Freedom of association was the appropriate subject for focus in the year 2000, and IMEC proposed the issue of child labour for the second global report in 2001. Convention No. 138 should be added to the current list of core Conventions and should rapidly be integrated into the accelerated reporting cycle. IMEC governments were also in agreement with the proposed amendment to article 7 of the Standing Orders of the International Labour Conference.

Clearly, the Declaration and its follow-up implied integrated action in various fields. A focused, interdepartmental management effort was thus called for, with a senior manager having authority to coordinate programmes, draw on resources and mobilize extra-budgetary funds. The necessary arrangements should be determined with the involvement of the Director-General.

Finally, IMEC governments requested a comprehensive document for the March 1999 session of the Governing Body addressing implementation issues arising from the present discussion; it should also define procedures and set a comprehensive programme of work. Draft requests for information in connection with the annual review should be attached. The Governing Body would then be in a position to hold a final discussion, with certain legal aspects already having been addressed by the Committee on Legal Issues and International Labour Standards.

Mr. Isawa (Government, Japan), speaking on behalf of the Asian and Pacific Governments, voiced appreciation for the Office paper and trusted that the Governing Body would focus its attention on resolving the important issues of substance which required further examination. The governments of his region considered the Declaration and its follow-up to be of major significance both for ILO Members and for the Organization; the instrument underlined the importance of a series of universal principles which the ILO should promote by assisting Members in their endeavours to apply those principles. The governments of his region had maintained a consistent position regarding the follow-up, which should reflect the strictly promotional nature of the instrument; technical assistance was consequently a key element. Secondly, the follow-up should not
be based on a system of complaints, nor should it create new obligations for member States. There should be no double scrutiny or jeopardy, as this could lead to divergent conclusions on one and the same situation and, accordingly, weaken the Organization's credibility. Individual country situations should not be singled out for criticism. Clear procedural safeguards were required to ensure respect for these points. The promotional nature of the Declaration would also be further secured through a cautious selection of information sources in the compilation of the ensuing reports. The Governing Body should be involved in the establishment of the questionnaires. The Office was requested to produce draft questionnaires for examination at the March 1999 session of the Governing Body and to hold informal consultations before then. The forms should be clear and simple, and the information requested should in no way be connected with any allegations. Moreover, they should not duplicate existing procedures. The questionnaires could, in due course, be the subject of review.

Regarding the group of independent experts and its terms of reference and selection criteria, clear procedures should be established and the membership should be decided upon by the Governing Body after a review of a list of candidates. The criterion of equitable geographical representation should apply, and the experts should hold no other function within the ILO.

The governments of his region supported the proposal to amend the Standing Orders to allow non-Governing Body members to participate in the Governing Body when directly concerned by the discussion. However, given that the system should not be complaint-based, there should be no need for governments to justify their positions in that forum. Conversely, it was necessary to ensure that no government was impeded in presenting its views if it so desired. There was also some concern with regard to the Office's providing progress benchmarks and indicators.

The global reports, which were purely promotional in nature, should reflect global trends and assess the effectiveness of the Organization's assistance; in this way they would contribute to more effective future plans of action regarding each category of core principles. Again, double scrutiny and the targeting of country-specific situations needed to be avoided. A special sitting of the Conference, of a limited duration, was the most appropriate forum for the discussion of these reports. The discussion should not be the subject of formal decisions or conclusions. Information from other international organizations was not required; he recalled earlier statements that information provided by non-governmental organizations could not be regarded as official or as having been gathered in accordance with the Declaration's procedures.

In order to ensure the promotional nature of the Declaration, the establishment was necessary within the Office of a high-level body that would remain independent of the other departments active within the supervisory machinery. Such a body should include officials from developing countries.

The governments of his region called for further detailed proposals with a view to clarifying outstanding issues at the forthcoming session of the Governing Body. They could agree to the proposed timetable, providing clarification on a number of these items was provided.

In conclusion, the Asian and Pacific governments reiterated their praise for the Director-General's dedication to promoting core international labour standards.

Mr. Mishra (Government, India) recalled the constructive work on the Declaration at the 86th Session of the International Labour Conference. His Government had given its full support to the adoption of this instrument. He was particularly appreciative of the most recent statement made by the Director-General, who had lent yet further clarity to the overall context. The most effective way of promoting labour standards was universal ratification of Conventions and the enhancement of member States' capacity to implement them through technical cooperation and the promotion of economic development: these provided the best means to achieve higher standards of social justice.

It was vital that all the action envisaged under the Declaration — which was legally non-binding — should conform to the ILO Constitution and the obligations ensuing therefrom. Moreover, the Declaration's significance would be eroded if its follow-up were not pursued in the light of the understanding reached prior to its adoption; this implied, inter alia, that the follow-up would be purely promotional in nature and neither punitive nor complaint-based.

However, the Office paper failed to define the parameters or specify the promotional nature of the follow-up; secondly, it mentioned no safeguard to prevent the follow-up from becoming complaint-based. These safeguards needed, however, to be built into the follow-up itself and should include the automatic repudiation of measures violating the letter and spirit of the Declaration or its
misuse for other purposes. Furthermore, there was no indication of measures to avoid double scrutiny, double jeopardy or the duplication of reporting mechanisms. No details were provided regarding the manner in which annual reviews or global reports would be examined by the Governing Body or the International Labour Conference in connection with the exercise’s promotional nature. Information sources for the compilation of global reports — in which objectivity and transparency were vital — were not specifically defined. More detail was also required regarding the bureau called upon to manage and coordinate follow-up — in particular in respect of its terms of reference and accountability. Details of all of these follow-up components were essential, with a clear distinction being drawn between the proposed measures and existing supervisory procedures; in this regard he fully endorsed the statement made by the coordinator of the Asian and Pacific governments. In preparations for the forthcoming March 1999 session of the Governing Body, questionnaires should be developed which reflected the promotional nature of the Declaration — as part of the process leading to the provision of technical cooperation for the purpose of strengthening national capacities.

The Office had proposed the establishment of a small group of experts responsible for compiling the annual review, to be submitted subsequently to the Governing Body. He looked forward to proposals regarding the selection procedure for members of this group: six would be the optimum number of members, one from each of the Employers’ and Workers’ groups and one representing each of the four geographical regions. These individuals should have distinguished themselves by their professional experience. In this way, full tripartite and geographical balance would be ensured.

The global report should spell out general trends in the implementation of fundamental principles and rights at work and should not be a compendium of violations. Were any specific situations to feature in the report, the relevant countries should be granted adequate opportunity to comment before the report was finalized. A well-focused discussion of the global report could best be achieved in a special sitting of the Conference.

He emphasized his Government’s attachment to the Declaration and its promotional follow-up. He trusted that a detailed document would be presented in March 1999 to respond to the questions raised.

*Mr. Cavaglieri* (Government, Italy) endorsed the statement made on behalf of the IMEC governments. The report regarding freedom of association, already in the pipeline, should be completed for 1999. The issue of child labour should be dealt with either in the global report or in 2001. The questionnaire forms should be simple and tailored to the goals of the follow-up. Regarding the participation of non-Members in the Governing Body discussion of annual reviews, written statements by such non-Members were sufficient for all purposes. Any government, however, should be entitled to be heard in a formal meeting. He looked forward to Office proposals regarding the five independent experts at the March 1999 session. The global report should be placed on the agenda of the International Labour Conference as a separate item with an appropriate number of sittings being reserved for its discussion.

*Mr. Kalashnikov* (Government, Russian Federation) recalled that the Declaration had been the result of a compromise between social partners and governments from industrialized, developed, developing and transition countries and was designed to meet the challenges of the day. The instrument had been adopted on the basis of a consensus. Its follow-up should, consequently, also be developed in the same spirit. The process should allow, on the one hand, an evaluation of trends in individual countries regarding respect for fundamental rights at work and, on the other hand, the identification of countries’ technical assistance needs.

Russia was among the small group of countries having ratified all seven fundamental Conventions and was keen to see that group of countries grow. At the same time, its transition economy was confronted with serious difficulties, including social problems. Social development was closely related to economic progress. Russian policy was based on the genuine implementation of the fundamental principles together with the creation of favourable conditions for business; there was no contradiction in this approach. This underlay his Government’s attitude to the Declaration and its follow-up.
The final decision on the modalities for consideration of the annual reviews, as well as the examination of the four categories of fundamental rights, could be taken at the March 1999 session of the Governing Body. The issue of the group of experts could also be examined at that time, and his Government already supported the principle of geographical distribution being applied to the selection of the experts. Consideration should also be given to the necessary amendments to the Standing Orders.

In the global reports account should be taken of the interests and views of all parties involved, and this implied the use of various information sources. The discussion would best take place at a special sitting of the International Labour Conference. On this basis it would prove truly possible to determine the fundamental direction for technical assistance delivery. Use should be made of the time before the next session of the Governing Body to hold consultations with a view to consensus on these items. In order to expedite matters, his Government would not be opposed to an immediate decision to schedule the initial annual review and global report: the first global report could be prepared for 2000 on the issue of freedom of association and free collective bargaining.

Ms. Iwata (Government, Japan) stated that the adoption of the Declaration on Fundamental Principles and Rights at Work had symbolized the fact that the ILO was the international agency competent in matters of fundamental labour standards and that all member States had an obligation to implement these. The Declaration was set to intensify the ILO's role further. The follow-up would be different from the ILO's conventional supervisory machinery and would involve technical assistance to promote the Declaration's goals.

The follow-up timetable needed to be determined rapidly. Work on the annual reviews should commence at the March 2000 session of the Governing Body and the first global report should be presented to the International Labour Conference in June of that year. Attention should be focused on child labour issues after the adoption of a new instrument in 1999; this would naturally involve tight scheduling, and it therefore seemed advisable to devote the first global report to freedom of association and collective bargaining. It was advisable to discontinue the special reporting system introduced in 1995 and to use the material currently under preparation on freedom of association in this first global report.

The requests for information were an important element of the annual reviews. In this respect, the Office should seek the views of those concerned and, subsequently, present proposals to the forthcoming session of the Governing Body. The questionnaire should also address the evaluation of technical assistance provided by the ILO.

The group of experts should be clearly independent of governments, employers' and workers' groups. Its members needed to focus on the promotional nature of the follow-up in which they were to take an active part.

The Standing Orders of the International Labour Conference would require amendment (to article 7) in order to indicate that the follow-up was distinct from the conventional supervisory machinery.

Whereas the channelling of the annual reviews still required further scrutiny, the global report should be discussed by the International Labour Conference at a special plenary sitting; on the basis of that examination, a plan of technical assistance could then be elaborated for approval by the Governing Body. These aspects, including information sources, required further clarification at the forthcoming Governing Body session.

Mr. Mateke (Government, Uganda) recalled that the Declaration and its follow-up were clearly within the framework of the ILO Constitution and closely linked to the application of its article 19. Follow-up action should not place any undue burden on member States. They required technical cooperation in their endeavours to ratify Conventions and report regularly on their application. In the light of these considerations, his Government was in a position broadly to endorse the proposals in the document presented by the Director-General, whom he thanked for the efforts invested in preparing this agenda item.

Mr. Bahadian (Government, Brazil) considered that the follow-up should have three basic characteristics: credibility, efficiency and visibility. To be credible, the information provided by the procedures should not be used for political purposes. To be efficient, the follow-up required the confidence and cooperation of governments. To have proper visibility, it needed to promote
substantive results and not simply to be part of an organization's bureaucratic routine. The Government of Brazil consented to the proposed follow-up timetable and to the termination of the special reporting system initiated in 1995.

The promotional nature of the exercise should be remembered in the preparation of the questionnaires applicable to annual reviews. The questionnaire should be an opportunity for a presentation of developments in national law and practice regarding fundamental rights in the world of work.

His Government requested more detailed proposals for the forthcoming session of the Governing Body in respect of the independent group of experts. A clear distinction should be drawn between this group and the Committee of Experts on the Application of Conventions and Recommendations, given that the latter's terms of reference and responsibilities were of a different order. Information was also vital on the methods of work and terms of reference of the special bureau to be created to coordinate all follow-up activities. He endorsed the comment made by the Worker Vice-Chairperson that no excessive ambition should be displayed to establish rigid structures at this stage. Furthermore, the Director-General elect should be granted an opportunity to contribute his ideas to this development.

It seemed appropriate to amend article 7 of the Conference Standing Orders with a view to indicating that the reports presented as part of follow-up action should not be channelled to the Conference Committee on the Application of International Labour Standards.

With regard to the global reports, it was advisable for them to undergo discussion at a special sitting of the Conference plenary. In that context, examination might be given to the possibility of extending the time granted to each speaker with a view to a proper discussion both of the Report of the Director-General and of this global report. His Government looked forward to the further examination of this agenda item in March 1999.

*The sitting closed at 1.05 p.m.*
THIRD SITTING

Wednesday, 18 November 1998, afternoon

The sitting opened at 2.45 p.m., with Mr. Akao in the Chair.

Third item on the agenda

FOLLOW-UP ACTION ON THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK AND ITS FOLLOW-UP (concl.)

Mr. Zahran (Government, Egypt), recalled that during the discussion at the International Labour Conference in 1998, the major part of the Declaration on Fundamental Principles and Rights at Work had commanded the full support of all employers, workers and governments. The reservations voiced by the Government of Egypt at that time were associated with the absence of solid guarantees that the Declaration could not be misused for discriminatory or punitive purposes in trade or economic relations. Such reservations, however, were unrelated to the Declaration's substance, which merely reiterated the principles enshrined in the ILO Constitution, with a call for the ratification of, and respect for, international labour standards. His Government had also made an appeal for a form of follow-up that would include assistance in overcoming obstacles faced by States in their efforts to implement the objectives of the ILO Constitution. His Government had unswervingly reiterated its full commitment to respect for, and promotion of, labour rights; this was reflected by Egypt's ratification of 59 ILO Conventions, one of the largest ratification records of any member State and which included six of the seven core Conventions. Consequently, Egypt was eager to support the ILO's role as well as its efforts to live up to its responsibilities at a time of economic globalization and restructuring social systems, especially in developing countries. The ILO was the only international organization mandated to set and deal with labour standards. The international community looked to the Organization for assistance in overcoming problems of unemployment, labour market volatility, child labour, marginalized categories of workers such as those in the informal sector, migrant workers and many other serious issues. The ILO had a role to play in eliminating poverty, achieving economic and social development and improving the situation of workers worldwide. For effective action, tripartite consensus was vital for an effective response to these challenges.

Addressing the document now under discussion, he supported most of the observations already made by the coordinator of the Asian and Pacific governments. However, there seemed to be an absence of clear direction in the paper; no vision was offered of how to realize the principal objective of follow-up action — the delivery of technical and material assistance to member States in dealing with their problems regarding the application of international labour standards. This fact was possibly due to a generally confused vision within the ILO as a whole, all of which prompted him to repeat the need for tripartite consensus which was the key to giving the necessary impetus to the initiative and restoring confidence in the Organization.

A number of proposals regarding the establishment of a new bureau within the Office had been presented to the Programme, Financial and Administrative Committee, but real impact could only be achieved through practical assistance on the ground. Follow-up should not be turned into a reporting process incapable of providing solutions to the problems identified, but should draw on the Active Partnership Policy which already combined promotional and technical assistance components. If existing APP structures were insufficient, consideration could be given to their further enhancement.

The eagerness to set the follow-up in motion should be counterbalanced by a careful study of all of its aspects: was it practicable to produce a global report for the year 2000 when such reports had the vocation of highlighting global trends in a specific area over a period of four years. Moreover, the Office's present proposal for the first global report established a close link between
it and the reports of the Committee on Freedom of Association; that, however, was a complaint-based structure.

It was also important to simplify the questionnaires sent to governments for the annual reviews; the forms should be limited to highlighting aspects associated with promotional objectives. The purpose was not to hold States accountable but to identify general trends. He agreed that the Office should hold consultations with constituents regarding these requests for information.

With regard to the selection of independent experts, the criterion of equitable distribution should be respected. The experts should be independent of the Office and represent the major trends and views within the Organization. It appeared logical to select a representative of each of the following groups: Employers, Workers, IMEC, Eastern Europe, Asia, Africa and Latin America — seven members in all. The group’s terms of reference would be limited to preparing the introduction to these reviews, in conformity with the text of the Declaration adopted in June 1998. In that way, the complicated procedures envisaged in the Office document would become superfluous and the danger of States being held accountable — which would contradict the letter and spirit of the Declaration — would be obviated. Any governments mentioned in the review should receive the documents early enough for them to present additional clarification to be appended to the final version prior to discussion in the Governing Body.

Regarding the global reports, an agreement was still outstanding with regard to the sources of information that would ensure impartiality and objectivity. This issue had been of concern to his Government from the outset. It was the task of the ILO alone to gather its information. It was imperative to ensure a clear distinction between the gathering of information, on the one hand, and the provision of opportunities, on the other, to other international organizations, albeit indirectly, to involve themselves in the ILO’s exclusive mandate. This point had been at the very heart of his Government’s reservations regarding the adoption of article 3 of the Declaration. Examination of the global report was best done in the same context as the Director-General’s Report to the Conference. The imposition of time-limits on statements was not an obstacle to discussion, as repetition did not enhance the substance of plenary statements. More extensive statements could in any event be presented in writing. No amendments to article 7 of the Conference Standing Orders were necessary: that article exclusively addressed reports relating to Conventions and Recommendations.

In any event, the only path forward was one of dialogue, cooperation, tripartite consensus and the provision of the necessary financial resources to ensure success in the Organization’s action. He trusted that these comments, together with those of other delegations, would be examined with due care. The Office could rely on the support of his Government, which would cooperate with other delegations and work to prevent attempts to misuse the Declaration for any purposes for which it had not been designed.

**Mr. Qazi (Government, Pakistan)** associated his Government with the statement by the coordinator of the Asian and Pacific governments. Pakistan’s position regarding the Declaration and its follow-up was well known. The Office paper in several respects failed to meet the criteria reiterated by his Government as being essential for acceptable follow-up action. It did not adequately highlight the promotional and non-supervisory nature of the follow-up; rather, it focused on aspects concerning the schedule of work for the months that lay ahead. The paper suggested adversarial procedures. This should be unambiguously corrected in favour of a promotional approach.

He requested further clarification on the extent to which the campaign for the ratification of fundamental Conventions would be pursued, as it had major promotional value. The Declaration should not be permitted to become an escape clause substituting for ratification. Ratification of ILO Conventions was, after all, the highest level of commitment to ILO principles and objectives. He requested additional information regarding the plan of action and the safeguards it was proposed to include for the purpose of upholding that plan’s promotional and non-adversarial nature. A set of unattainable objectives and deadlines, against which countries would be examined four years hence, would be clearly unacceptable. A precise indication of the need to avoid double jeopardy and double scrutiny was called for. This issue had been one of his Government’s strongest concerns regarding the Declaration. Specific explanations from the Office were needed as to how the questionnaires for the annual review would reflect the strictly promotional nature of the follow-up. It appeared
inappropriate to use language taken directly from Conventions in order to illustrate the principles addressed by the questionnaires. The relevant examples presented in the Office paper did not, therefore, have his Government’s support.

The Office had appeared to modify the substance and context of an appeal made by the Non-Aligned Movement in its statement to the 85th Session of the International Labour Conference when it had referred to benchmarks and indicators of social progress. Whereas he was gratified to see that the idea had been included in the Office paper, it needed to be placed in the specific context of the original statement.

Whereas his Government had always believed that the most appropriate channel for the planned action was the Committee of Experts on the Application of Conventions and Recommendations, it had agreed in the negotiations at the Conference to envisage an alternative body. This should be as comprehensive as possible and comprised of a minimum of eight members — four Government representatives, one from each region, two Worker and two Employer representatives. Appointment procedures and limits on terms of office still required scrutiny.

If the experts were to concentrate on composing an introduction to information compiled by the Office, his Government wondered by whom the review itself would be authored and how it was proposed to ensure objectivity and impartiality. Justice demanded that, if the Governing Body were to discuss a particular State, the concerned country should be permitted to be heard if it so wished — even in the context of this purely promotional debate. Hence, rather than creating new committees or meeting structures for this debate, it was preferable to amend the Standing Orders. Care should also be taken to ensure that the Governing Body did not assume the role of the Conference Committee on the Application of Standards. During the original negotiations, his Government had inquired whether any body, including NGOs, would be entitled to provide information in addition to that supplied by recognized social partners. Assurances had been given that information from NGOs could not be considered official; the Office paper, however, appeared to challenge such assurances. It also seemed to open the path to soliciting information from other international organizations. His Government did not support such an idea.

A special sitting for the discussion of the global report would be appropriate. A Conference committee of restricted membership appeared unadvisable, as this might lead to duplication of effort with the Conference Committee on the Application of Standards and matters might be reopened that had already been the subject of conclusions in that body. This was precisely the kind of double scrutiny and double jeopardy about which his Government had previously issued warnings. He looked forward to clarification on these and other issues between now and the forthcoming session of the Governing Body.

Mr. Li Donglin (Government, China) endorsed the statement made on behalf of the Asian and Pacific Government group. The important principle had been established that the Declaration and its follow-up should be promotional in nature. Certain components of the promotional approach were, however, lacking in the Office paper. Technical assistance was vital: if member States experienced difficulties in ratifying and applying fundamental labour standards, it was counter-productive to exert pressure on them; instead, technical cooperation was required with a view to intensifying their endeavours. Attention to the following three aspects was necessary. The questionnaires should be concise, allowing the identification of difficulties encountered by States and needs in terms of technical assistance. The examination of annual reviews should be in conformity with the provisions of article 19 of the ILO Constitution, should not be complaint-based and should be limited to changes in national law and practice. The results of the discussion on the global report should lead to proposals for assistance to be delivered to States. Such proposals should be accepted by them on a voluntary basis.

The global report needed to be objective, equitable, accurate and promotional in nature; a precise information-gathering procedure — based on information provided by member States — should be established. The report should then be discussed in a special sitting, it being understood that the exercise was not a country-targeted procedure leading to conclusions.

The follow-up time-frame proposed in the document seemed somewhat premature. It would be more advisable to determine the broad substance of the planned action, and only then to establish a timetable.
Care should be taken to ensure that the group of experts functioned with the utmost objectivity. There should be members from both developing and developed countries. Consideration should also be given to attendance of the group’s meetings by Governing Body observers. This approach would enhance transparency and an equitable approach to the work. The experts’ qualifications, appointments and terms of office should be equally transparent. The follow-up on the Declaration was a primordial issue and should not be dealt with hastily. All views should be carefully examined in endeavours to ensure the Declaration’s utmost success.

Mr. Babakissina (Government, Congo) pointed out that the adoption and implementation of the Declaration were separate exercises. He therefore welcomed the fact that, six months after adoption, the Office had been in a position to propose a set of follow-up measures. The Office merited congratulations for the quality of the paper now under scrutiny; the Director-General’s further comments had also proved most valuable.

He endorsed the outline timetable contained in the Office document. The requests for information for annual reviews should be simplified and focus on difficulties hindering ratification. Absolute objectivity, in the spirit of the Declaration, should be safeguarded. It was essential to highlight the positive progress achieved and to give support to States’ endeavours in the form of well-targeted technical assistance. The group of experts should be composed of independent figures known for their relevant experience and impartiality and represent the various regions; they should be above all suspicion. Moreover, in order to ensure absolute objectivity and transparency of the debate in the Governing Body, non-members should be permitted to participate, wherever appropriate; such States would then be in a position to supply further clarification.

It appeared advisable to amend article 7 of the Conference Standing Orders for the purpose of establishing the independent character of the promotional global report procedure, which was distinct from that of the Conference Committee on the Application of Standards. His Government approved the Office proposals in this regard. The report should be examined at a Conference plenary special sitting — which would afford a flexible opportunity for a substantive exchange of views.

He reiterated his Government’s trust in the Office in its preparation of the relevant proposals for decisions to be taken at the forthcoming session of the Governing Body, with particular attention being paid to the flexible and promotional nature of the Declaration.

Ms. Musulin (Government, Croatia), as the representative of a country that had ratified all the fundamental Conventions, considered that the promotional nature of the Declaration was not simply to be viewed in the context of possible future ratifications, but in connection with adherence by all member States to the fundamental principles enshrined in the Organization’s Constitution. She was hence unperturbed by concerns voiced in the debate regarding possible double jeopardy: in essence, the Declaration contained no new obligations for States. The Declaration was designed to assist all member States in implementing their constitutional obligations.

However, she noted a certain contradiction in the Office paper between the emphasis on the promotional aspects of the follow-up in the requests for information from non-ratifying countries, and the possible use of reports regarding the Conventions on freedom of association. The Committee on Freedom of Association dealt with specific cases and its reports were based on complaints; hence these documents were not an appropriate foundation for a general review. Nevertheless for practical reasons, she supported the proposal to devote the first global report to freedom of association.

She agreed with the Workers that it would be advisable to have expert jurist knowledge in the independent group of experts. In this way differences of interpretation should, to the extent possible, be avoided. In connection with the proposed bureau, which some wished to be separate from the International Labour Standards Department, she was confident that the department was also capable of preparing reports on the follow-up, as article 19 reports were already prepared by the same officials. Moreover, the information sources for the global report would in any event be the reports submitted under article 22 of the Constitution; these were channelled through the International Labour Standards Department. The department was after all not a part of the regular supervisory machinery. Whatever units were ultimately involved in the follow-up, close coordination and cooperation were imperative. Duplication of work should be avoided. Her Government supported the proposal to hold close consultations before March 1999 with a view to the presentation of new proposals.
Mr. Ju (Government, Republic of Korea) endorsed the statement made on behalf of the governments of the Asia and Pacific region. He was in favour of discontinuation of the special reporting procedure (established in 1995) on introduction of the new follow-up reporting. It seemed advisable to take a decision on the time-frame for follow-up after full consideration of all of the substantive matters involved. The annual review questionnaires should be different from those used traditionally; however, the concept of progress benchmarks should not lead to any comparison between countries but, rather, should permit a general view of the way in which situations in individual countries had progressed. The group of experts should reflect the ILO's tripartite structure. Their number should be determined after a thorough discussion on the nature and volume of their work. His Government looked forward to a rich debate at the forthcoming session of the Governing Body on these and other issues. He trusted that the Office would prepare and circulate draft proposals in due course.

Mr. Melas (Government, Austria) expressed his Government's gratitude for the efforts made to ensure the Declaration's rapid implementation. The promotional nature of the follow-up would prove a major contribution to worldwide respect for fundamental rights in the world of work.

Although in favour of an examination in 1999 of the special report, already under preparation, regarding freedom of association, he believed that the annual review procedure could commence in 2000 (with the subject of discrimination). He also endorsed the proposal to begin the global reporting cycle in 2000 and the Office's explanations regarding the format for the requests for information.

He endorsed the proposal to establish an independent group of experts, which should comprise five persons selected on the basis of their relevant experience. They did not necessarily have to have legal expertise; moreover, they should not be entitled to intervene in the debate on their reports. Non-member States should be permitted to take part in the Governing Body discussion; this required an adaptation of the Standing Orders. Moreover, the Conference Standing Orders would also require amendments with regard to the discussion of the global reports. The possibility should be examined of that debate being held in a special sitting of the Conference plenary; a tripartite group might also examine the document.

Mr. Guillén (Government, Peru) welcomed the Office paper, which summarized clearly various aspects of particular complexity. With regard to annual reviews of the situation in countries not having ratified one or more of the core Conventions, the format of requests for information should be dictated by the Declaration's objective: this was not to judge the application of Conventions but to identify trends in relation to constitutional principles. Consequently, the process should be a contribution to the provision of technical cooperation and an evaluation of countries' needs. The questionnaire form could contain a brief summary of the origins and purposes of the request for information, together with the significance of each general fundamental principle addressed by the follow-up. Reference might be made to the definitions and objectives spelt out in the corresponding Conventions, to the extent that these were formulated in general terms and made no reference to specific obligations.

Regarding the possibility of establishing a series of progress benchmarks for the evaluation of general trends, the social, economic and cultural realities of individual countries needed to be taken into account. The Governing Body was, therefore, the appropriate forum for determining the most pertinent indicators of progress for the purposes of the Declaration.

He concurred with the Employers regarding the independence of the proposed group of experts and the necessary confidence that it should inspire within the Governing Body; he had no specific proposal regarding the number of its members, though equitable regional participation should be guaranteed.

In respect of non-members of the Governing Body wishing to participate in the discussion on annual reviews, such involvement should, as indicated by the Office paper, be limited to contentious cases. It would also be important to ensure that such participation were for the purpose of clarification and an exchange of experience and not for some justification, as in an adversarial procedure. The general objectives written into the first three paragraphs of the Annex to the Declaration should always be borne in mind, in particular in respect of possible double scrutiny; this was vital for the proper use of the Declaration.
With regard to the sources of information for the compilation of global reports, paragraph 3 of the Declaration mentioned other international organizations with which, by virtue of article 12 of the Constitution, the ILO had established relations. It was therefore natural for information available to such organizations to be included among the ILO’s sources, it being understood that the objective to the reporting procedure was of a promotional order. His Government concurred with the proposal to amend article 7 of the Conference Standing Orders. The discussion at the International Labour Conference should be as open and transparent as possible. Hence his Government’s first preference went to discussion in the Conference plenary, where all tripartite delegations could speak. For practical reasons, however, he understood the advisability of holding a special sitting for this purpose; in this way, the Director-General’s Report to the Conference could be examined without hindrance.

Mr. Pityana (Government, South Africa) recalled the statement made by the Director-General in June 1998 to the effect that the ILO, by adopting the Declaration, had proven its credibility and relevance in a changing world. The Organization was now in a position to enter the twenty-first century. His Government fully endorsed this optimistic Declaration; it was now vital to maintain the momentum of this historic project. The Organization would be judged harshly if it failed to take the bold decisions necessary for the future. No weakening of the follow-up action should be permitted. At the same time, it was important to examine carefully the technical aspects of such action with a view to providing the Office with a clear mandate to prepare for the discussions in March 1999.

Any follow-up coordination bureau to be established within the Office should be interdepartmental and multidisciplinary in character. Duplication of work, for example with the IPEC programme, should be prevented.

It was logical to halt the cycle of special reports introduced in 1995 and to transfer to a system of annual reviews. As a large share of the special report on freedom of association had already been completed, that report should nevertheless be tabled in 1999. The ratification campaign, however, which had already yielded remarkable results, was worthy of being pursued; the ultimate objective was universal ratification of core ILO Conventions. That campaign and the Declaration follow-up complemented each other.

He doubted the advisability of restricting the first annual review to two or three categories of rights. This review would break new ground and expectations would be disappointed by any effort which appeared incomplete. The practical constraints associated with the proposed adoption of a new instrument on child labour, planned for 1999, should not oblige the Organization to rush ahead with the implementation of the first annual review. Instead, the cycle of special reports could continue until the year 2000, it being understood that comprehensive annual reviews would commence in 2001. Such an approach would give both constituents and the Office the necessary time for full preparations. With regard to the global report, the Organization would be in a position to present the first such document in the year 2000. Useful sources of information would be found in data submitted to the Committee on Freedom of Association, the special report of 1999 and the report of the Conference Committee on the Application of Standards. Hence the first global report, according to this schedule, would appear one year before the first annual review; this seemed a more practical solution.

The proposals appeared suitable regarding the format of the requests for information. The group of experts to be established should be independent and impartial; his Government would not support proposals to emphasize geographical representation. The group should be composed of eminent, reputable experts; only so would they guarantee the credibility and authority of the entire process. The number of such experts would depend on the group’s workload, which was difficult to predict: further clarification was necessary regarding the relationship between article 19(5)(e) of the Constitution and the operative part of the Declaration; as well as regarding the relationship between the proposed bureau and the group of experts. If non-member States were permitted to take part in the Governing Body discussion, the system’s transparency would be accordingly enhanced: such States would be given an opportunity to provide further insight into the issues at hand. This debate should hence take place in a committee of the whole.

The principal source of information for the global report should be the reports submitted under articles 19(5)(e) and 22 of the Constitution. The Director-General should also use official
information gathered in the course of article 24 and 26 procedures, including that supplied by the social partners. His Government also supported the use of other available official information, including relevant data provided by other international organizations. The International Labour Conference should be called on to examine the global report in a tripartite discussion at a special sitting. This procedure would offer transparency and flexibility as well as a substantive exchange. It may appear necessary to extend the time available to the plenary with a view to devoting sufficient attention to this item.

Mr. Sarkar (Government, Bangladesh) largely supported the statement made by the coordinator of the Asian and Pacific governments. The Declaration was a new strategic landmark in the field of industrial relations. It would give a boost to core ILO Conventions. It was now necessary to pursue the introduction of the two follow-up components as rapidly as possible.

The first was the annual review of countries not having ratified one or more of the fundamental Conventions. This would be carried out annually within the Governing Body. The second was a global report dealing annually with one of the four categories of rights in respect of all countries, regardless of whether they had ratified the relevant Conventions. The examination of the latter document would take place in a tripartite discussion at the Conference and later in the Governing Body with a view to conclusions regarding appropriate technical assistance for the following four-year period. Such a process might duplicate the special reporting cycle introduced in 1995. However, work on the special report on freedom of association had already entered its final phase; consequently, the Office's proposal to discontinue the special reporting after submission of the freedom of association seemed appropriate. The transfer to the system of annual reviews and global reports should then be embarked on as rapidly as possible. However, a number of issues still had to be settled concerning the form to be taken by the request for information for annual reviews; the establishment of a group of experts and a bureau to coordinate follow-up; the participation by non-members of the Governing Body in the discussion on annual reviews; amendments to article 7 of the Conference Standing Orders; the procedure for the elaboration of the global report; and the respective roles of the Governing Body and the Conference.

He proposed that the global report be discussed in a special sitting of the Conference. All participants should be aware that the follow-up action was promotional in nature and should not be used to justify protectionism. It should not endanger any country's comparative advantage. Its ultimate purpose was to identify the requirements of member States for technical assistance in complying with fundamental labour standards. The ILO Declaration on Fundamental Principles and Rights at Work could make its contribution to countering the negative effects of the fierce competition unleashed by the globalization process. It could assist in the creation of a better world of work with well-trained workers, high labour productivity, low strike levels and greater justice.

Mr. Samet (Government, United States) observed that the fundamental purpose of the Declaration and its follow-up still needed to be expounded with greater clarity: the exercise on which the Organization had now embarked was not one of standard setting, and a clear separation should be established between this follow-up action and procedures pertaining to the Organization's Conventions. That point should be presented with greater precision in future documents.

It was no longer relevant to restate issues that had been discussed in June 1998 in the period leading up to the Declaration's adoption. It was now the Governing Body's responsibility to progress in its examination of follow-up procedures. Issues of protectionism, double jeopardy and country-specific evaluations had been adequately resolved in the past.

His Government had no objections to the commencement of the annual review process in 1999. It did not, however, endorse the proposal to discontinue the cycle of special reports, given that their purpose differed from that of the follow-up: this was an example of the lack of clarity regarding the intention of the new process by comparison with that of other supervisory procedures. Benefits could be expected from the continuation of the ratification campaign, and consequently it should be pursued. Conversely, the new follow-up was not specifically designed to achieve universal ratification. The subject of freedom of association appeared appropriate for the first global report. Like the Employers and Workers he was concerned that the requests for information should be shaped in such a way that the procedure could not be confused with some exercise for evaluating
the application of Conventions. The design of any progress benchmarks consequently required the utmost care.

There was clearly general agreement in the Governing Body that the individuals selected for the group of experts should be of the highest level of independence, credibility and integrity. On that basis, he was unable to understand why there might be any difficulty in agreeing on the relevant selection process. Regional or group membership should not be a criterion.

Naturally, States concerned by the annual review should have some opportunity to participate in the discussion thereon. Regarding possible amendments to article 7 of the Conference Standing Orders, the relevant proposal appeared appropriate, given that the envisaged action was separate from the traditional supervisory procedures for standards. It was in all parties' interest to provide the greatest possible information input into the new procedures. The newly appointed independent experts should be relied on to manifest sound judgement in the selection of appropriate information sources. Attempts to restrict access to material appeared inconsistent with the notions of openness, transparency and credibility.

At this stage it was difficult to foresee what would be the best method of addressing the global report at the International Labour Conference. If the global report were to undergo preliminary discussion in the Governing Body, as suggested by the Employers' group, that should naturally have no negative impact on the report's integrity. In any event, a number of the issues relating to follow-up still required further scrutiny. Like other delegations, he encouraged the Office to consult as broadly as possible before the next session of the Governing Body in order to prepare the relevant decisions. This was an important stage in a major endeavour; the task required commitment and certainty of purpose and was independent of the other essential work conducted by this Organization. Adequate resources were essential for the effort, together with clear structures within the secretariat.

Mr. Benitez (Government, Argentina) said that the statement made on behalf of IMEC governments largely coincided with his opinions. He concurred with other speakers that, above all, the follow-up should be credible, efficient and visible. The Declaration should be implemented as rapidly as possible which, in the practical circumstances outlined in the Office paper, meant the year 2000. Not only would this be in keeping with the mandate dictated by the International Labour Conference but, above all, it would be a forceful start to the Organization's action in a new century. The prerequisites for success existed; the present debate would permit the resolution of outstanding issues. He counted on the Office to pursue consultations between now and the forthcoming March 1999 session of the Governing Body with a view to consensus on all aspects. It was also essential for the Director-General elect, Mr. Somavia, to be fully informed of, and participate in, these consultations. The Declaration would come into operation during his term of office.

Regarding the specific items of substance raised in the Office document, it seemed reasonable to discontinue the cycle of special reports introduced in 1995, given that these ran in parallel with the Declaration's proposed follow-up. Moreover, the promotional nature of the follow-up action would have its own positive impact on the universalization of fundamental Conventions. For the practical reasons spelt out in the document, it seemed appropriate to select freedom of association as the subject for the first global report to be presented in 2000. That subject would set the basis for subsequent reports.

With regard to the format for the requests for information, it should clearly reflect the promotional nature of the Declaration and its follow-up and remain distinct from questionnaires used under other procedures. It should enable the experts to produce a diagnosis regarding respect for fundamental principles in each country. On that basis, general trends could be established to be measured against indicators of progress, as mentioned in the Office paper. The indicators should guarantee objectivity and comparability. The questionnaires should also solicit all peripheral information, which placed the evaluation of general trends in the appropriate context. With a view to alleviating any potential new burden on member States, the format should be rendered as simple as possible and governments should, wherever appropriate, be assisted by multidisciplinary teams in the form's completion. Turning to the independent group of experts, his Government would be satisfied with a membership of between three and five persons. Appointing four would make it possible to have one expert for each of the four groups of principles covered by the Declaration. If necessary, subsequent adjustments could be made. The experts should be highly experienced in
social and labour issues at an international level and be known for their commitment to the Organization's objectives, in particular with respect to the relevant human rights. Some degree of legal expertise appeared essential for the group to be able to operate with full success.

Regarding the participation of non-members of the Governing Body in the debate on questions of concern to them, he had no objections to the introduction of greater flexibility into the Standing Orders. On occasion the knowledge and opinions of States, Employers and Workers which were not members of the Governing Body could, on certain issues, enrich the debate. This was not, however, a question of principle for his Government, although the solution proposed by the secretariat regarding informal sittings for this purpose appeared reasonable.

The Director-General should be permitted to draw on all reliable sources of information in the elaboration of his global report; this would include material from other official international organizations as mentioned in paragraph 3 of the Declaration. Such information should be public, trustworthy and verifiable.

Whereas the debate on the global report at the International Labour Conference would not lead to conclusions, it should set the general direction for a subsequent discussion within the Governing Body with a view to the provision of the relevant assistance. In this respect, the precedent set by follow-up on the Declaration on Apartheid could prove useful.

Follow-up on the Declaration involved the entire secretariat, and he was hence not opposed to the establishment of a bureau whose functions would be to coordinate action between the various components involved. Such a bureau should be directly accountable to the Director-General.

The adoption of the Declaration at the last session of the International Labour Conference was a major event in the Organization's history and was significant for the world of work in general. All members of the Organization, together with the Office, had made a major investment in this endeavour. This commitment must now be pursued for the purpose of effective follow-up action, for achieving the goals enshrined in the Declaration and thereby halting violations of freedom of association as well as eliminating child and forced labour and discrimination in employment and occupation.

Ms. Voskuhl (Government, Germany) fully endorsed the statement made on behalf of the IMEC governments. Now that the Declaration was a reality, it was essential for appropriate steps to be taken to guarantee implementation. There was no objective reason for delay. She agreed with the proposed timetable, although Germany's preference was for the global report to be dedicated to child labour in the year 2001. This, as previously indicated, would necessitate the inclusion of Convention No. 138 in the category of standards on which member States were required to report every two years. She looked forward to further information from the Office on the remaining aspects of follow-up action which required clarification.

Ms. Correa (Government, Senegal) noted the wealth of information in the document now under examination and thanked the secretariat which had lived up to the mandate given to it in June 1998. The Declaration reaffirmed member States' obligation to respect, promote and implement a series of basic rights including freedom of association, protection from child and forced labour as well as from discrimination in employment. Her country had ratified six of the ILO's core Conventions; the ratification procedure for the seventh (No. 138) was now under way. Senegal approved the development of the IPEC programme, though it had noted certain administrative obstacles. In this respect, it appeared necessary to heed local steering committees which regularly identified national needs.

With regard to the proposed timetable, 1999 seemed over-ambitious for the introduction of annual reviews. The year 2000 also appeared more appropriate as a date for the first global report. As far as the bureau was concerned, it would be useful, before any final decision, to examine the links it would have with existing supervisory machinery. In any event, it should report direct to the Director-General, who could then make the necessary provision for technical cooperation. For this purpose, he needed clear terms of reference from the Governing Body. Special attention should be devoted to the avoidance of duplication of work. The three departments mentioned by the Director-General in his introduction, namely TRAVAIL, RELPROF and EMPLOI, should make their own proactive input into the follow-up process. Economic parameters in today's world were changing rapidly, and immediate, sensitive responses were called for. This was particularly vital, given the
difficulties exacerbated by certain structural adjustment programmes and the impact of the world financial crisis. Progressive but sustained action was necessary in a spirit of solidarity favouring those States that were in need. In conclusion, she cordially thanked the Director-General for the decisive role played by him in the adoption of this Declaration which was an honour to all.

Ms. Niven (Government, United Kingdom) strongly supported the statement made on behalf of IMEC governments. Like other speakers, she believed that the follow-up should be credible, effective and transparent; to that end, it was preferable for the process to be described in positive terms, with a statement of what the follow-up should be rather than what it was supposed not to be. For that reason, it was still necessary to provide further clarity on some of its aspects.

She supported earlier comments to the effect that the annual reviews should contain details of technical assistance delivered to countries by the ILO, an evaluation of that assistance, and an indication of the specific form of cooperation originally requested.

The global report should be submitted direct to the International Labour Conference for a high-level discussion, and subsequently channelled to the Governing Body. The procedure to be applied at this latter stage still required clarification: it seemed difficult to target technical assistance effectively if the report was not country-specific. The discussion might also be more purposeful if it were held in the Committee on Technical Cooperation; but again, the participation of non-members of the Governing Body required attention.

There appeared to be a consensus that the group of experts should be a team of independent external experts; they should have a range of skills, including legal competence and experience in development issues and technical assistance, in keeping with the Declaration’s promotional aspects.

The Director-General had spoken of the possibility of establishing an enlarged bureau within the Office, which would also bear responsibility for issues relating to globalization and multinational enterprises. She noted his comment that the definitive structure would be determined by the incoming Director-General who would, doubtless, establish a coherent framework to deal with globalization in connection with the ILO’s strategic objectives. The structure pertaining to the Declaration’s follow-up, however, should remain simple and effective and, whereas it should ensure coherence with the rest of the Office’s work, should not be confused with other units.

Mr. Yepes Arcila (Government, Colombia) stated that the follow-up action should be designed to facilitate the achievement of the objectives and principles enshrined in the Declaration adopted by the Conference. All parties should be mindful of the strictly promotional nature of that instrument, which should serve to establish a plan of international cooperation to be pursued by the Organization with a view to promoting the application of fundamental rights at work.

The global report should not be channelled through existing supervisory bodies. The first such report could be devoted to issues of freedom of association and collective bargaining and could be programmed for 2000. The discussion on it should be held in a special committee at the International Labour Conference; analysis of the discussion should subsequently be conducted by the Governing Body with a view to drawing conclusions regarding a technical cooperation programme. Those conclusions should then be presented in a report to the plenary of the International Labour Conference, the supreme body of the Organization in which all members could participate. With regard to the selection of sources of information for the global report, these should be limited to what was stipulated in the Declaration itself.

Mr. Joublanc (Government, Mexico) observed that the follow-up on the Declaration on Fundamental Principles and Rights at Work should be of a strictly promotional nature. He reiterated the importance of this concept. Technical cooperation was a major ingredient. There should be no complaint-based approach, and double scrutiny and criticism of individual situations should be avoided. Adequate safeguards to that effect needed to be established; he therefore trusted that the assurances given in the Conference Committee in June 1998 — that information from non-governmental organizations would not be considered as an official source for the purposes of compiling reports — still stood.

Regarding the annual reviews, the Office should proceed with the preparation of questionnaires that would be the subject of informal consultations before March 1999 and examined by the Governing Body at its 274th Session.
The new group of experts should work with objectivity and transparency; a consensus on the group's composition, specific mandate and duration should be achieved in good time in the Governing Body before the members were appointed. Geographical representation in the group was an appropriate criterion and was not incompatible with selection on the basis of merit, experience or independence.

While welcoming the proposal to amend the Standing Orders of the Governing Body in order to permit non-members to take part in discussions of concern to them, he was concerned by certain passages in the document, which, if approved, might lead to double scrutiny. There was mention in two paragraphs of the document of the supposed need for governments to justify their position, which suggested, counter to expectation, some complaint-based approach. Further clarification was required in this respect.

Nor did he see the value of discontinuing the campaign to promote the ratification of the seven core Conventions. This objective, after all, remained essential and the positive results registered to date justified its continuation.

With regard to the global report, further clarification was required in respect of the methods to apply to its elaboration, the forum in which it was to be discussed and the ways in which objectivity and impartiality could be guaranteed. The status and composition of the proposed bureau which would give support in the preparation of the global report also required further discussion. It seemed essential for such a unit to work with transparency and objectivity, to report direct to the Director-General and to be separate from existing supervisory machinery; consequently, it should remain separate from the International Labour Standards Department. He looked forward to detailed proposals on these issues in March 1999.

It seemed logical to make use of the outcome of the cycle of special reports, which were part of the campaign to promote ratifications, that on freedom of association now being in preparation. However, it should not be forgotten that the questionnaire used for the special report had been designed to highlight legal aspects, and not the elements needed to determine possibilities for cooperation: this latter type of input could ensure an outcome that was commensurate with the promotional nature of the follow-up.

He had no objection of principle to the proposed time-frame, but it was advisable first to gain further clarity regarding the follow-up modalities. As regards the modalities for presentation of the report to the International Labour Conference, there was need for further, more detailed discussion on the advantages and disadvantages fo each of the three options set out in the Office paper. He was in favour of the option whereby the global report would be discussed together with the Report of the Director-General to the Conference, which was the simplest solution. With a view to further discussions to define the future structure of the follow-up, he requested that, as in previous stages of the process, the participation of States that were not members of the Governing Body should be facilitated.

Mr. Jonzon (Government, Sweden) lent his support to the statement made on behalf of the IMEC governments. He thanked the Director-General for his introductory statement and the explanations he had offered. He would have welcomed greater clarification in the Office paper of the fact that the exercise now under discussion was not oriented towards international labour Conventions. It was of the utmost importance that the proposed group of experts be independent; this implied that the members were not associated with any particular constituency. With regard to internal Office structures, such matters were the responsibility of the Director-General.

Mr. Poisson (Government, Canada) considered that the Declaration had raised many expectations. It was therefore essential to make use of this momentum to proceed with implementation. He welcomed the Office paper, which set a solid basis for discussion. Canada associated itself with the statement made on behalf of the IMEC governments. He supported the proposed timetable for setting the follow-up in motion. While endorsing the selection of freedom of association as the subject for the first global report, he called for care to ensure that there was no confusion between that report and the approach adopted in the former cycle of special reports introduced in 1995. In this regard, he suggested that the Office communicate to member States in unambiguous terms the differences of format, content and objective of the various reports requested under the different systems.
Moreover, a discrepancy had been noted between the description in the Office document of the annual review — as a document identifying trends — and the purpose of the annual review described in the Annex to the Declaration itself: that Annex spoke of a review of efforts undertaken. Clarification appeared appropriate in this regard. He also looked forward to specific proposals to be submitted in March 1999 regarding all facets of the questionnaires.

It might be appropriate for the proposed group of experts to play some role in an ongoing review of the questionnaires in the light of accumulated experience. He agreed with the Office proposals regarding participation by non-members in the Governing Body discussion. Appropriate adaptation of the Standing Orders of the International Labour Conference was also pertinent. In that connection, the respective roles of the Governing Body and the Conference in processing the global report had been well set out in the paper and he favoured the holding of a special sitting for the report’s discussion at Conference.

In its further work, he trusted that the Office would be mindful of the following aspects. A broad consultation process should be pursued for the formulation of the proposals to be submitted to the Governing Body in March 1999. This promotional follow-up should remain separate from existing supervisory machinery; that implied that the questionnaires to be used should not relate to specific provisions of Conventions. The ILO also needed a solid public relations plan to promote the Declaration and its follow-up. He was grateful to the Director-General for the explanation he had offered regarding the establishment of a bureau to coordinate follow-up. In any event, the bureau should remain small and focus on tasks related to the Declaration. Follow-up efforts would be required from all parts of the Organization; these would involve a certain shift of resources and activities and there would be regular reporting to members on results — through the global report or the programme and budget exercise.

Mr. Al Hadlaq (Government, Saudi Arabia) observed that the Declaration was now a reality and Saudi Arabia was more than ready to cooperate with the Office in attaining its objectives. His Government was firmly committed to respect for fundamental rights at work: Saudi Arabia had ratified four of the fundamental Conventions and the spirit of those which remained unratified was observed. He lent his support to the statement made on behalf of the Asian and Pacific governments. The Director-General had presented useful clarification on the proposed timetable. He hence endorsed the proposals. In any event, the timetable would logically fall into place once there was a final agreement on the means of action to be applied.

With regard to the establishment of a group of experts, he supported the comments by the representative of the Government of Egypt; geographical representation should be considered as a selection criterion. As emphasized by the Government of the United States, the experts’ competence was of the utmost importance. The experts were ultimately responsible for the Declaration becoming widely known and promoted. Moreover, they should work independently of the ILO’s standard-setting activity. No overlapping should be permitted in this respect.

He understood the wish that non-members of the Governing Body might be permitted to participate in meetings where cases concerning them were under discussion. In view of the large number of such potential participants, however, it should be recalled that there were adequate opportunities for all to present any additional information that the experts might call for. The questionnaires should be simple in form. Throughout the exercise the promotional nature of the follow-up needed to be emphasized, together with opportunities for technical assistance if required.

Mr. Henczel (Government, Poland) complimented the Office on its balanced presentation of the issues, including the proposed timetable for further action. The Declaration and its follow-up should be viewed in a broad context in conjunction with the Active Partnership Policy and the commitments made at the World Summit for Social Development.

He supported the proposal to discontinue the cycle of special reports, with the first annual review being prepared for 1999. He also believed that the first global report should be devoted to the issue of freedom of association in the year 2000. He concurred that the form requesting information should be as simple as possible. The global report should be discussed at the Conference in a special sitting, which would facilitate a detailed examination. He also welcomed the proposal that the Office prepare, for the March session of the Governing Body, a comprehensive document on follow-up, which should address questions such as the size of the group of experts and any
organizational changes appearing necessary within the Office. His Government associated itself with the salient points made by the IMEC governments, in particular in respect of the need to proceed with follow-up as rapidly and efficiently as possible.

Mr. Cartier (Government, France), endorsed the statement made on behalf of IMEC governments: it had been the result of consultations between a whole range of States, including his own. Throughout the discussion, and aside from the optimism of some and the hesitations of others, there had been resounding agreement on the promotional aspect of the follow-up now to be set in motion. This was of great significance and would be an encouragement to the Organization's action for the future. Admittedly, the mechanisms on paper might at first seem excessively elaborate; reality would, however, probably prove much simpler. The relationship between technical cooperation and the spirit of Conventions and the principles they addressed was nothing new. The innovative element resided in this more systematic approach. He was confident that the Office would now be in a position, on the basis of a large measure of agreement, to produce a paper for March 1999 which would permit progress on all issues outstanding. All could now afford to proceed with general optimism regarding this operation and the proposed time-frame. The Declaration and its follow-up would be a most fitting way of marking the year 2000.

Mr. Thiising (Employer, Germany; Employer Vice-Chairperson), referring to the membership of the group of experts, had noted the relevant comments made by Government and Worker representatives; their opinions were fairly close to that of the Employers. Individuals should be selected who were independent, of great integrity, credibility and authority. He believed, however, that the appointment procedure should be distinct from that applied to the Committee of Experts on the Application of Conventions and Recommendations. That would be possible if the groups' views were taken into consideration in the course of the selection process. The group of experts would be of prime importance. He did not propose any formal procedure but simply asked for an opportunity for the groups' opinions to be expressed. He was confident that this would help obtain the highest ranking set of experts possible.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) accepted that the initial questionnaires might be more substantial than those used more regularly at a subsequent stage; they should, however, be designed to gather more information than was currently provided in the forms employed since 1995 as part of the special reporting process. Whereas he favoured simplicity, this should not be exaggerated at the risk of the exercise becoming meaningless. At the same time, it had been his understanding that the forms should in certain respects resemble those pertaining to existing procedures: observations by the social partners in member States should be possible. The operation was not solely designed for government contributions. He concurred with governments that had emphasized the promotional nature of the Declaration; in this respect the term "promotional" had been defined in the debate prior to the adoption of the Declaration as covering the entire range of possible action which fell short of the imposition of legal obligations. Consequently, he did not follow the logic voiced by several governments that had ruled out complaints or country-specific observations on the sole pretext of the Declaration's promotional nature. The Legal Adviser had had occasion to express a similar conclusion in connection with the promotional aspect of work conducted by the Committee on Freedom of Association and other committees. Convention No. 138, as well as the instrument to be adopted in 1999 regarding child labour, should be appended to the list of priority Conventions, which would then total 12. He recalled that the global report was designed to provide the basis for assessing all member States' requirements in terms of technical cooperation; for that to be possible, the global report had to be country-specific. In conclusion, the Workers were keen to retain, for the foreseeable future, the core standards ratification campaign.

The Director-General stated that it had been highly useful for the Office to witness the sustained interest prompted by this agenda item; the remarks, suggestions and criticisms made would enable the Office to prepare the relevant documents. The Declaration's promotional dimension had been foremost in all minds during its preparation and adoption, and that dimension would continue to be respected by the Office in its further action. Whereas some had remarked that the promotional nature had been inadequately emphasized in the present document, this was due to the fact that promotional activities required the mobilization of resources and possible reorganization, which he was not in a position to undertake at a time of transition. Nevertheless, he had previously been
requested to formulate his concerns, suggestions and wishes, but clearly the technical document under discussion today regarding follow-up was only one component in an ongoing process.

The Legal Adviser thanked speakers for their valuable comments on the Office paper. It was not possible to respond to all of the remarks, but an adequate opportunity to do so would arise in forthcoming papers to be presented in March 1999.

Some representatives had pointed to a lack of indications in the document on certain aspects related to follow-up. These apparent omissions were really due to limitations deriving from the very nature of the paper; moreover, the Office had trusted that the Governing Body would set a number of guidelines for issues still outstanding. The paper was not designed to deal with administrative or budgetary aspects; the Director-General had indeed explained that such items were no obstacle to a forward progression. Moreover, it had not been considered necessary or advisable to repeat questions already raised and resolved at the Conference in June 1998. Some had regretted the absence of a detailed discussion of safeguards — although these had been built into the Declaration itself and its Annex: clear language was to be found preventing the new procedures from being used for purposes other than those for which they had been established. These guarantees applied unequivocally in all instances. From this fact flowed the replies to a number of other concerns. Some had wondered, for example, whether it might not be possible to call on the Committee of Experts on the Application of Conventions and Recommendations to assume the tasks to be attributed to a new group of experts; this issue, however, had already been unambiguously resolved by the Conference and was no longer a matter for debate. The same applied to a possible role for the Governing Body prior to transmission of global reports to the Conference. The Annex to the Declaration, however, stated that the Director-General was responsible for preparing the global report which, subsequently, was to be submitted to the Conference. That would not prevent the report from highlighting a number of points for discussion in an endeavour to set an outline for what might be the subsequent programme of action which, however, would take on final shape only after discussion in the Governing Body.

On a number of matters not resolved at the Conference in 1998, the Office had believed that it was advisable — before proposing definitive solutions — to hear the detailed opinions of Governing Body members: this was of valuable assistance to the Office in its quest for solutions likely to meet with a consensus. Hence, certain questions — the questionnaire, the membership of the group of experts — had been raised without any solution being proposed. Furthermore, the present debate had served its purpose, given that a wealth of indications had been supplied to the Office. He was confident that the consultations — which would be organized before the finalization of the next document — would be an opportunity to enhance that consensus.

It was important to remember that the document’s entire premise was an endeavour to translate the promotional approach of follow-up into concrete aspects of procedure. This applied to the questionnaire, the group of experts, and the participation of non-members of the Governing Body; it should be made clear that this procedure was distinct from those applying to other standards-related activities. In any event, the constituents themselves would soon have an opportunity to pursue these promotional objectives by giving shape to the questionnaire and determining the composition of the group of experts.

The table regarding reporting cycles was simply designed to show the cycles applying under articles 19 and 22 of the Constitution alongside the future cycles to apply to annual reviews and global reports. It drew attention to the fact that the cycles for certain reports on certain Conventions did not coincide with that planned for the global report. There was, for example, a lack of synchronization between the five-year cycle for Convention No. 138 and the four-year cycle applicable to the global report. Consequently, some subsequent modification would be necessary. General agreement appeared to have been found in this respect in the Committee on Legal Issues and International Labour Standards. Some representatives had wondered who would be entitled to present explanations before the Governing Body in connection with the situations in non-member States. In this respect, the document had used language drawn from article 7 of the Constitution which was possibly ambiguous: the intention was to denote persons representing those States or employers or workers. Regarding the explanations that such representatives would be entitled to be present, the document in no way suggested that they would form part of any adversarial procedure. The intention in inviting States to speak was not to call on them to respond to criticism, but simply
an opportunity for them to outline their positive and negative experience and to engage in a fruitful exchange with others. In respect of the procedure applying under article 23 of the Constitution, he recalled that that article had been associated with the follow-up by virtue of its inclusion in section B of the Annex to the Declaration.

With regard to sources of information for use in the global report, he reiterated what had been determined at the International Labour Conference: the organizations from which information could be drawn were solely official intergovernmental organizations. Hence the relevant statements reflected in the report of the Conference committee still applied without change. Furthermore, the list of such official organizations was limited to those with which the ILO had an agreement. This naturally included the Council of Europe, responsible for the application of the European Social Charter and which could be the source of useful official information for the purposes of this follow-up.

The Office was open to all possible solutions regarding the continuation of the ratification campaign; the secretariat was, however, concerned to ensure that member States were not overburdened by an excess of requests for information. If the campaign were to continue, attention should be lent in due course to the frequency of relevant action and the modalities to apply.

The Chairperson, in the light of the discussion and with a view to achieving consensus, proposed that the phrase "(beginning with the freedom of association and collective bargaining, forced labour and, if appropriate, discrimination)" be deleted from the text of the point for decision (paragraph 13(a)).

The Governing Body adopted the recommendations in paragraph 13 of the Office paper, as amended.

Similarly, he proposed that the words "as appropriate" be inserted in the text of the point for decision in paragraph 33 between the words " ... to submit to the Governing Body at its next session," and "through the Committee on Legal Issues and International Labour Standards ...". Hence, matters of a legal order would be channelled to the Governing Body through that Committee.

The Governing Body adopted the recommendations in paragraph 33 of the report, as amended.

Fourteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

Third Supplementary Report:
Promotion of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) noted that the report recounted the efforts made to bring the Declaration to the attention of other international bodies; no indication, however, was given of their response. He was concerned at a phenomenon, frequently witnessed, of governments making pledges in one international body — as in the adoption of the ILO Declaration — and subsequently acting as if oblivious to its existence in other international structures. As the Director-General had eloquently stated at the Conference in June, the Declaration provided the international community with a truly global social platform based on shared values. Without respect for those shared values, there could be no sustainable development, social justice or peace. Logically, the Workers trusted that governments which had made such a pledge at the International Labour Conference would support the inclusion by, inter alia, the Bretton Woods institutions of the very same principles in their action. He knew of instances of governments acting to ensure discussion of the Declaration in a number of international fora.

It was therefore with some concern that he had read the report of a recent meeting between officials of the ILO and the World Bank, the text of which suggested that labour rights should not be enforced at the expense of economic and social development. The World Bank, the text stated, would support labour standards if they contributed to a country's development, although the Bank would not act as an enforcement agency in respect of rules pertaining to other organizations; a
special set of human rights guided the ILO’s approach to labour issues, though the goals of poverty reduction and economic growth guided the Bank in its action; ILO core labour standards, despite their good intentions, were not necessarily realistic for poor countries with meagre economic growth; they needed to be more flexible and reflect a variety of situations.

However, these statements were at variance with the report received from ILO officials regarding what they had considered to be a helpful and altogether more positive meeting. This situation had confused members of his group; they wondered how, if the text of the report did not actually reflect the course of the meeting, it had been placed on the worldwide web. Moreover, nowhere was there any mention of the Declaration. Indeed, the statements appeared to be a denial of the Declaration. He trusted that the Office had protested at the publication of such statements and he was keen to see the response to such protest; this issue could not be allowed to pass unnoticed, as it could prove highly prejudicial. He appealed to Government representatives to ensure that their colleagues responsible for relations with Bretton Woods institutions were fully aware of the adoption of the ILO Declaration; it was inadmissible for one government department to undermine the concerns of other departments in such a way that concerted international action suffered. The governments at the International Labour Conference that had adopted the Declaration on Fundamental Principles and Rights at Work had acted not as departments of labour but as member States.

The Director-General pointed out that the document now before the Governing Body, while indicating the efforts already undertaken by the Office, was for the moment unable to report on their consequences. These efforts had been aimed at publicizing the Declaration among governments and international organizations, with the request that the instrument receive close consideration. The scope of the Declaration reached far beyond the International Labour Organization. It was an endeavour to give tangible form to decisions taken by heads of state and government in Copenhagen in 1995 and in respect of which ministers of trade in the World Trade Organization had requested the Organization to take action. The Declaration was therefore an asset to the international community and it was essential for all to promote it. The World Bank had been one of the organizations most receptive to the proposal to hold an in-depth debate of the issue; in this regard, he was grateful to its President, Mr. Wolfensohn. Further efforts were however still necessary to ensure full consideration of these issues.

The representative of the Director-General (Ms. Hagen, Deputy Director-General) stated that the Office had been promptly informed of the appearance of the article referred to by Mr. Brett; the ILO had immediately conveyed its distress regarding the inaccuracies and tone of the text. Subsequently, a request had been made that the article be withdrawn. Information had just been received indicating that the Vice-President for Human Resources Development of the World Bank was prepared to make a statement that the article would be withdrawn and replaced by an accurate text issued with the cooperation of the ILO; this would accurately reflect the cooperative dialogue that had occurred at the meeting on 28 October 1998 and would include commitments for future cooperative activities.

Mr. Thüising (Employer, Germany; Employer Vice-Chairperson) stated that his group had taken note of the report and welcomed the measures taken to date.

The Governing Body took note of the Office paper.

The sitting closed at 6.15 p.m.
FOURTH SITTING
Thursday, 19 November 1998, morning

The sitting opened at 10.55 a.m., with Mr. Akao in the Chair.

Fifth item on the agenda

Report of the Commission of Inquiry Established to Examine
The Complaint Concerning the Observance by Myanmar
of the Forced Labour Convention, 1930 (No. 29),
Made by Delegates to the 83rd Session (1996) of
the International Labour Conference
Under Article 26 of the Constitution of the ILO

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) considered the report a
chilling condemnation of an inhuman government's behaviour towards its own citizens. This
included physical abuse, torture, rape and murder, by which the military coerced people into forced
and slave labour. The entire Governing Body would condemn those acts and the authorities that
perpetuated them.

Paragraph 3 of the Government's reply was totally unacceptable, except for its claim that some
of the national organizations involved lacked good will towards the Government. It was exceedingly
difficult to feel any good will towards the Government. The findings of the report vindicated those
who had supplied evidence. This had not been politically motivated, unless efforts to ensure that
governments lived up to their obligations under international labour Conventions were considered
a crime. Those who brought the horrific situation to the attention of the ILO had been objective and
accurate.

The Government had stated that it would complete the process within the time-frame indicated
in the report. Due process demanded that the Governing Body believe those words until such time
as they were disproved. However, it should not presume that the promises would be implemented,
but rather watch closely to ensure that the legislation was brought into conformity with the
provisions of Convention No. 29 and that the penalties prescribed in the Penal Code against those
who had committed these crimes were enforced. The Director-General should ensure that the
Government lived up to its words. The report submitted to the Governing Body in March 1999
would indicate the progress achieved and the action to be taken. Whereas it was a good sign that the
Government had replied, it now had to prove beyond doubt that it had ceased its horrific practices
and had fulfilled its obligations.

Mr. Thiising (Employer, Germany; Employer Vice-Chairperson) considered that the reply by
the Government of Myanmar was insufficient and unsatisfactory in all respects. There was no
indication of any change in its attitude or of any readiness to cooperate in the light of what were
very serious allegations. This was extremely worrying, and the only remaining possibility was for
the Office to monitor the case closely and to report to the Governing Body in March. The
constitutional procedure had now run its course.

Mr. Mishra (Government, India) considered the existence of forced labour an affront to the
cardinal principles of the ILO Constitution and the Declaration of Philadelphia. It was a denial of
human dignity and of the value of human existence. The denial of freedom of movement, of the
option to choose a vocation or of the fundamental right to appropriate to oneself one's own labour
or its fruits was contrary to civilized human conscience and could under no circumstances be
justified. The State had a solemn obligation to promote, protect and preserve precious life,
regardless of caste, creed or community, and it was the most important engine of advancement of
human beings. It had to provide a climate of opportunity and incentive and should not act as an
engine of oppression.
The findings of the Commission indicated ample evidence of the pervasive imposition of forced labour on the civilian population throughout Myanmar for portering, construction, maintenance and the servicing of military camps, roads, railways, bridges and other infrastructure, work in agriculture, logging and other production projects. None of these fell under the exceptions listed in paragraph 2 of Article 2 of the Forced Labour Convention, 1930 (No. 29), which the Government of Myanmar had ratified. He approved the recommendations of the Commission and endorsed the clear and forceful statements by the Employers’ and Workers’ Vice-Chairpersons. Total transparency and credibility on the part of the Government were essential to ensure compliance with the findings of the Commission of Inquiry.

Mr. Warrington (Government, United Kingdom), speaking on behalf of the Governments of Austria, Belgium, Canada, Denmark, France, Finland, Italy, the Netherlands, Norway, New Zealand, Poland, Switzerland and Sweden, expressed concern at the findings in the report of the Commission of Inquiry, which revealed the absolute authority of the military to force compliance by using threats, physical abuse, torture, rape and murder, and showed that such practices affected the most vulnerable sectors of society, including pregnant women, children and the elderly, and that the burden of forced labour fell most heavily on the poor and ethnic minorities. Such violations of the ILO’s fundamental principles and of the Forced Labour Convention, 1930 (No. 29) were totally unacceptable.

He regretted that the Government had not allowed the Commission of Inquiry to visit Burma and condemned its unacceptable record of systematic human rights abuses. Now it was for the Burmese authorities to demonstrate that the Government had implemented the recommendations of the Commission, namely to bring national legislation into conformity with the provisions of Convention No. 29, to end forced labour and to enforce the penalties foreseen by Burmese labour law for using forced labour.

He called on the Director-General to transmit a letter to the Government, taking note of its reply to the Commission and requesting, for submission to the Governing Body in March 1999, an account of the measures taken to implement the recommendations. The Director-General should ensure that the account included reliable information from other sources, including the social partners. Should the Burmese regime not implement the recommendations by the deadline set by the Commission, the Governing Body would have to examine all other options available to ensure compliance.

Speaking in his capacity as the representative of the Government of the United Kingdom, he recalled that Mr. Derek Thatchett, Minister of State of the United Kingdom, in a conference on Burma hosted by Christian Aid, had expressed concern about the Commission of Inquiry’s findings, and had stated that the ILO should consider all options for action, including suspension of Burma from membership of the Organization.

Mr. Samet (Government, United States) associated himself with the joint statement delivered by the United Kingdom, with the statements by the representative of the Government of India and by the Workers’ and Employers’ Vice-Chairpersons. The case involved the fundamental values of the Organization, and merited expressions of outrage and action to relieve the suffering of the Burmese people.

Paragraph 535 of the Commission’s report described the utter disregard of the authorities for the safety, health, basic needs and even the life of people performing forced labour. The Governing Body had to recognize that all avenues of procedure in the Organization had now been exhausted. It was also compelled to recognize that a State which supported, instigated, accepted or tolerated forced labour on its territory, committed a wrongful act and engaged its responsibility for the violation of a peremptory norm in international law. Any person who violated the prohibition of recourse to forced labour was, under the Convention, guilty of an international crime regardless of the position of national law with regard to the exaction of forced labour. If this crime was committed in a widespread, systematic manner, it was a crime against humanity. This principle was enshrined in the Charter of the Nuremberg Tribunal.

The recommendations of the Commission of Inquiry had to be implemented. The Director-General hence had a solemn obligation to follow up on the issue, to distribute the findings of the Commission to all appropriate organizations and to report to the Governing Body. He should also
be asked to consider what appropriate reference might be made with regard to the Commission’s findings to the issues presented by the Charter of the Nuremberg Tribunal. These references should be taken as seriously as the matters to which they referred.

The situation exposed by the report called for the strongest possible response from the ILO, otherwise the credibility of the Organization was at stake. Paragraph 543 of the Commission’s report referred to a saga of untold misery and suffering, oppression and exploitation of large sections of the population, as well as gross denial of human rights which the Government, the military and other public officers could continue with impunity. If these practices had not stopped by March 1999, the Governing Body would be compelled to respond accordingly.

Ms. Voskuhl (Government, Germany) found the report horrifying in its revelation of the facts concerning the forced labour of old people, pregnant women and children, as well as corporal punishment, murder and rape. The report was also impressive due to its style and its objectivity, which allowed the facts to speak for themselves. In paragraph 543 the authors indicated that besides recording horror, they also wished to give it the name it deserved.

As silence might be interpreted as an expression of complicity, she associated herself with those who had called on the international community of States to do their utmost to end forced labour in Myanmar. The minimum level of cooperation shown by the Government with the Commission of Inquiry, and the inappropriate tone of its letter of 23 September 1998 did not justify any positive expectations. Nevertheless, it was hoped that, as indicated in its letter, the Government of Myanmar would implement the Commission’s recommendations.

Mr. Sumi (Government, Japan) took note of the fact that, in order to fulfil its obligation as a Member of the ILO, the Government of Myanmar had responded by examining in a high-level coordinating committee the details of the report, including the Village Act and Towns Act. He also took note of the Government’s reply, according to which it had not foreseen any difficulty in implementing the recommendations contained in paragraph 539 of the report. The Government of Japan trusted that the Government of Myanmar would fully comply with its obligations under the Convention. He asked the Director-General to provide the necessary assistance for the strict implementation of the Commission’s recommendations.

Mr. Ayo (Government, Myanmar), referring to his Government’s reply to the report appended to document GB.273/5, confirmed that it had been examined by a high-level coordinating committee comprising senior officials from several government ministries. In addition to the report of the Commission, the coordinating committee also reviewed both Acts, the Village Act and the Town Act in order to bring them into line with present-day realities in the country and in order to fulfill the Government’s obligations as a party to Convention No. 29 and as a member State of the ILO. In his response to the ILO, the Director-General of the Ministry of Labour had stated that the authorities would do their utmost to complete the process within the time-frame referred to in the report. There should be no difficulty in implementing the recommendations contained in paragraph 539 of the report.

He pointed out that the deadline referred to by some speakers was, according to paragraph 539 of the report of the Commission Inquiry, 1 May 1999, and not March 1999. The Government would try to do better, but the deadline remained 1 May 1999.

Furthermore, he recalled that the name of his country was the Union of Myanmar. This name had been recognized by all States represented in the Governing Body, the international community, the United Nations and the ILO. He rejected all other references.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) concurred with the representative of the Burmese Government that the present discussion was not the end of the procedure. However, the Governing Body should not trust the Government to fulfil its obligations. Trust had to be earned, but not at the point of a gun and not by forcing people into inhuman situations. The ILO had no place for a Government that had behaved as the Government of Burma had. As regards the name of the country, he would call it Myanmar when it was civilized, and at one stage he might even take pleasure in referring to the democratic Government of Myanmar.

The Governing Body take note of the report of the Commission and of the reply by the Government of Myanmar.
Sixth item on the agenda

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

311th Report
312th Report

Ms. Engelen-Kefer (Worker, Germany), in her capacity as Reporter of the Committee, introduced the report. The Committee had before it 67 cases, of which it had examined 19 on their substance, reaching definitive conclusions in 11 cases and interim conclusions in eight. The Committee had also noted that in 33 cases governments had made available information about measures taken on the earlier recommendations of the Committee, and that some positive developments could be observed, particularly with respect to Belarus, Brazil, Chile, Congo, Côte d'Ivoire, El Salvador, Lebanon, Mauritius, Romania and the United Kingdom.

Unfortunately, in New Zealand the measures taken were insufficient to ensure full observance of the right to strike, and in Swaziland, according to the latest information, the Secretary-General of the Federation of Unions had been taken from his home by the police in mysterious circumstances.

The case of Colombia gave rise to particular concern, particularly as there had been very little or no cooperation on the part of the Government despite repeated appeals. Nor had there been a sufficient response from the Government concerning Case No. 1787, which had now been examined by the Committee. The situation in that country was characterized by unceasing terror against the members and leaders of unions, ever-longer lists of deaths, attempted murders and death threats, as well as attacks on the offices of unions and the homes of their members. The Government had often been involved in these cases.

The Secretary-General of the ICFTU had recently drawn the attention of the President of Colombia to new lists of death threats against union leaders, including Mr. Jorge Ortega García, the Vice-President of the Single Confederation of Workers, who had since been murdered. This indicated that in spite of attempts to protect those receiving death threats, it had been impossible to protect them. Mr. Ortega García had been murdered because he had dared to send a complaint to the ILO about violations of trade union rights. Moreover, people who had cooperated with ILO missions had been murdered. The Committee urged the Government of Colombia to bring about the rule of law. As long as the Government refused to cooperate even in matters concerning complaints, its assertions could not be taken seriously.

In Case No. 1873 (Barbados), the Committee asked the Government to explain its actions concerning a new pay system in the public sector, which, according to the representative trade union, had been voted only by a minority union.

In Case No. 1934 (Cambodia), the Committee asked the Government to provide information about the registration of trade unions. Furthermore, as government forces had been used to end a strike in the clothing industry and the accompanying demonstrations, it recommended that the Government pay due respect to the right to strike. Where trade union members were dismissed because they had exercised the right to strike, the Committee had asked for impartial procedures in re-examining their cases and for their reinstatement.

The Committee had also examined two cases concerning the public sector in Canada (Ontario). The first concerned a violation of freedom of association as a result of compulsory interest arbitration in specific areas of the public service. It recommended that the Government provide further information on the results of arbitration, particularly on whether the employee's right to strike was fully guaranteed, and that future changes in bargaining structures be implemented only after appropriate consultations and information of the parties concerned. The Committee expressed particular concern that the Government had appointed the Chairperson and Vice-Chairperson of the arbitration body without sufficient consultation, and requested additional information on this matter. The report concerning this case thus remained an interim report.

An interim report was also presented in the second case concerning Canada (No. 1943), which again concerned Ontario. New legislation had reduced the scope of collective bargaining in the education sector, excluded principals and vice-principals from trade unions and denied their right...
to form new associations. The Committee recommended that the Government ensure that relations of confidence be established between the negotiating partners, and decided to defer its final conclusions until it had received information on the outcome of the case before the Ontario Court of Appeal.

Another serious case concerned the repeal and amendment of three labour ordinances by the Government of the Hong Kong Special Administrative Region (SAR). These ordinances concerned the right to organize and bargain collectively. Their repeal and amendment had resulted in restrictions on trade union rights. Moreover, the Employment and Labour Relations (Miscellaneous Amendments) Bill of 9 October 1997 reinstated the restriction on occupations and trades of union officials, which had previously been lifted through the 1997 labour ordinances. Similarly, the Bill reinstated restrictions on the use of trade union funds and deprived workers of protection against discriminatory dismissal. The Government of the SAR had also refused to provide adequate and legal protection for workers’ organizations to engage in collective bargaining.

The Committee requested the Government of China to make the necessary legislative changes.

Case No. 1865 related to complaints by two Korean trade unions and the ICFTU against the Government of the Republic of Korea. Improvements had been made in the restructuring of legislation concerning industrial relations on the basis of the recommendations of the ILO tripartite mission. Much of what had been agreed earlier, however, had not been implemented. The unions had not been recognized and the Korean Confederation of Trade Unions (KCTU) had not been registered. The unions had reported that the workers at Hyundai Motors had experienced mass dismissals and that their rights had been endangered. Following the demonstrations on 1 May, orders of arrest had been issued against many officials, including those of the KCTU. A large number of union members were still under arrest. Moreover, two persons in the public sector had been dismissed following their participation in preparations for the training of union workers.

The Committee requested the Government to release those who had been arrested. It was also asked to provide clarification on its claim that violence had been used. It also requested the Government that the dismissed public servants in question be reinstated.

Mr. Nookes (Employer, Australia), speaking on behalf of the Employers’ group, congratulated Ms. Engelen-Kefer on her election as the Committee’s Reporter and on the presentation of her first report.

The first report contained a number of references to cases in which the Government was engaged in continuing dialogue with the committee. The case concerning Canada (Manitoba) involved interest arbitration in the public service and legislative restrictions on the arbitrator’s jurisdiction. The Government had announced that legislation had been modified, but it did not contest the Committee’s recommendation concerning the exclusion of certain subjects from arbitration. This is unanimous in number of cases before the committee, including another case concerning Canada. Continuing dialogue between the Committee and the Government of New Zealand had resumed. The Government had indicated that it did not accept the Committee’s view concerning multi-employer bargaining and had provided information on the development of a doctrine of good faith bargaining. This issue had been raised by the Government, and not by the Committee, which reaffirmed its view and its previous recommendation concerning multi-employer bargaining. The Employers maintained their views and reservations in this case, in particular the recommendation concerning multi-employer bargaining.

The Government of Romania had stated, as regards Case No. 1891, that legislation had been introduced in Parliament to make a number of amendments to labour legislation following the Committee’s recommendations.

In two of the three cases concerning the United Kingdom, the Government had stated that it would examine the Committee’s recommendations, while in the third case, involving the Isle of Man, the matter appeared to be about to resolve itself.

The Government of Thailand had advised on progress in the amendment of labour relations legislation concerning state enterprises.

As regards the section concerning serious and urgent case which the Committee especially drew to the attention of the Governing Body, this again included Colombia, and to the same case
as in March, and noted that a complaint had been submitted under article 26 of the Constitution, a matter on the Governing Body’s agenda at its present session.

One of the cases concerning the Province of Ontario in Canada bore some similarity to the Manitoba case in that it involved the independence of arbitrators in the public service, the manner in which they were appointed and the criteria they were required to apply. The Committee had asked for more information from the Government on those points.

Case No. 1951 was particularly interesting. It concerned teachers and their rights and responsibilities, the question of whether policy matters should be the subject of collective bargaining, and also the question of whether the principals and vice-principals of schools should be members of the same union of the teachers they supervised. The Committee had decided to await the outcome of a decision by a court concerning their status.

He supported the Reporter’s statement concerning Hong Kong, China, which involved the repeal by the new administration of a number of ordinances introduced by the previous United Kingdom administration. It concerned eligibility for trade union office, the use of union funds for political purposes, protection against anti-union discrimination and the representative status of trade unions. It was quite clear to the Committee that the legislation as it now stood after the repeal was inadequate and required amendment.

The case concerning Colombia was particularly serious, and was only one of several concerning that country over the past few years. All had been characterized by appalling violence, murders and intimidation, against not only workers, but also employers, judges, public officials and the community at large, and by the apparent inability of the Government to bring an end to the situation. Its communications with the Committee were inadequate, and this was reflected in the Committee’s recommendations. A direct contacts mission had visited the country two years previously, and since then the violence had escalated. The Governing Body could return to the case of Colombia under the separate item on its agenda concerning the complaint made under article 26 of the Constitution.

As regards the Republic of Korea, the case had previously been the subject of extensive recommendations, and now involved new allegations resulting from a number of dismissals made by the Hyundai Motor Company as a result of a number of serious strikes, the arrest and detention of trade unionists following the strikes and attempts by civil servants to form an organization. The Government had given a partial reply to these new allegations and to the recommendations made by the Committee in March. A second Tripartite Commission had commenced its work, and he hoped that it would resolve the outstanding issues. The Committee had reaffirmed the recommendations from March, and sought further information concerning the new allegations; it sought the release of the detained trade unionists and the reinstatement of the civil servants, but had not made any recommendation about the dismissal of the Hyundai workers, which was significant. The Employers reiterated their reservations of March concerning the situation in the country.

Case No. 1950 (Denmark) concerned teachers, collective bargaining and strike action. There were two different categories of teachers: one had collective bargaining rights and the associated rights, while the second did not, but enjoyed the status of civil servants. This was a familiar situation. The Committee had again recommended, as it had in other cases, that all teachers should be able to bargain collectively and should enjoy the associated rights.

In the case concerning Spain (No. 1968) the Committee had rejected the allegations that the Government had shown a preference for one union.

As regards the 312th report, which dealt with a single case concerning Denmark involving a representation made under article 24 of the Constitution, the situation was common to a number of countries providing statutory job offer schemes for unemployed workers whereby unemployed workers were provided with jobs created through subsidies to employers, subject to a wage ceiling. The scheme hence bypassed existing collective agreements. The Committee had rejected the complainant’s arguments, considering that the scheme offered employment that was distinguishable from ordinary work and therefore could be subject to special provisions.

The Employers supported adoption of the reports.

Mr. Edström (Worker, Sweden), speaking on behalf of the Workers’ group, expressed satisfaction that a Workers’ representative had been appointed Reporter, and endorsed her
introductory remarks. He drew attention to paragraphs 4, 6 and 8, which stated that some governments have not sent any information or observations or only partial information in response to the Committee's request. Such negligence undermined the work of the Committee and was a failure by governments to honour their commitments to the Organization. The case concerning Colombia (No. 1786) was discussed in a special section due to the extremely serious situation prevailing in the country. He asked every member of the Governing Body to read the case thoroughly, as it involved outrageous murders, disappearances, physical attacks, death threats and detentions.

Colombia had for a number of years been the country where the largest number of trade unionists had been killed — some 156 persons just in 1997. The Committee had also been forced to conclude that the violence against trade unionists had escalated. Among the long list of persons murdered recently, he drew attention to the killing on 18 April of Dr. José Eduardo Umaña Mendoza, who had acted as defence attorney for political prisoners, and specifically for the 18 prisoners of the Workers' Trade Union (USO); and to the killing on 20 October of Jorge Ortega García, Vice-President of the CUT, only a few hours after he had submitted fresh allegations to the Committee. Mr. Ortega García, like many other trade unionists, had received death threats, and sadly the Committee had had to move his name to the list of those murdered. What action had the Government taken to rectify these violations? None. Indeed, a number of the murders were alleged to have been conducted by paramilitary forces, and perhaps this explained why no one had been arrested, tried or sentenced for these murders, which had gone unpunished.

It was clear that the ILO must take further action, in particular on the article 26 complaint made by Workers' delegates to the International Labour Conference in June.

In March 1998 the Committee had dealt with two cases concerning Djibouti (Nos. 1851 and 1922). It had been encouraged by the positive response from the Government after the ILO direct contacts mission sent to discuss the serious violations of freedom of association. Unfortunately, the Committee now had to conclude, with its deep concern, that despite the promises made by the Government no tangible progress had been made. It strongly urged the Government to fully restore freedom of association and reinstate trade union leaders and members, some of whom had been dismissed more than three years previously.

The case concerning Côte d'Ivoire (Case No. 1954) concerned a long-standing industrial dispute on the wage scale to be applied at Abidjan Ship Repair and Industrial Work Enterprise, and the dismissal of 14 staff delegates and 300 workers after strike action. The employer had used a statement by the Minister of Employment declaring the strike illegal to make the dismissals. The Committee sought the reinstatement of the dismissed workers and workers' delegates, and pointed out that the responsibility to declare a strike to be illegal should not lie with the Government but with an independent body which enjoyed the confidence of both parties concerned. The case also revealed serious attacks by the police to drive away strikers and to stop demonstrations, and a violent attack with tear gas and the occupation of the trade union premises of the Confederation of Free Trade Unions of Côte d'Ivoire, Dignité. The attack was launched at 3 a.m. in the morning on 4 February 1998. The Committee asked the Government to hold an inquiry to bring those responsible to justice.

Case No. 1865 (Republic of Korea) had been examined by the Committee in March 1998. The Committee noted that, according to the information supplied by the Government, the 29 detained trade unionists had been released as requested by the Committee, and that one of several charges against the former president of the KCTU, Mr. Kwon Young-Kil, was going to be dropped. In its report the Committee felt forced, however, to repeat most of its recommendations, including the call for legal recognition of the KCTU made in March 1998. Over the summer a further 57 trade unionists, including the General Secretary of the KCTU, had been arrested, and arrest warrants had been issued against 200 of them after police intervention at the May Day rally and subsequent general strikes. The Committee expressed deep concern and urged the Government to take measures so that the persons detained or on trial or against whom arrest warrants had been issued as a result of trade union activities were released, the charges against them dropped and arrest warrants withdrawn. The Committee also sought the reinstatement of two public servants recently dismissed for setting up a Public Servants' Works Council Preparation Committee, which was a serious setback in view of the Government's promise to ensure the right of association for certain categories of public servants from 1 January 1999.
In the case concerning Hong Kong (No. 1942) the Committee had requested the repeal of legislation applying restrictions to those holding trade union office and concerning the use of trade union funds. It had also asked for provisions to be included in the legislation for protection against all acts of anti-union discrimination, and on objective procedures for determining representative status for the purposes of collective bargaining and respect for the principles of freedom of association.

In the case of Canada and Ontario (Case No. 1951) the Committee requested the Government to ensure that trade unions and employers' organizations were fully consulted and that such consultations were undertaken in good faith when changes in the bargaining structure and the labour relations system were proposed. Concerning the exclusion of certain matters from collective bargaining in the education sector, the Committee requested the Government to enable free collective bargaining on the consequences of decisions on educational policy for conditions of employment. The Committee noted with concern that the case was one of several concerning Ontario, and that in each case the Committee had pointed to incompatibilities with the principles of freedom of association. The Committee hence suggested that the Government consider recourse to ILO assistance in order to improve the general industrial relations climate.

The rights of teachers were also involved in Case No. 1950 (Denmark), where the Committee had considered that all teachers should enjoy the right to strike.

A positive development could be seen in Case No. 1869 (Latvia) where the Government had adopted new legislation making it possible for the Latvia Book Industry Trade Union to recover its property confiscated several years previously.

Other cases were cause for concern. In Case No. 1698 (New Zealand) and Case No. 1862 (Bangladesh) the Governments had clearly stated their intention not to comply with the Governing Body's recommendations. This was unacceptable. The Workers' group also deeply regretted the reservations made by the Employers on the New Zealand case.

Finally, all too often governments argued that the complainant organization should not be entitled to make complaints to the ILO on violations of principles of freedom of association when national judicial proceedings had not been exhausted. This view had always been rejected by the Committee, for good reason: in some member States the judicial proceedings might continue for a number of years, making it impossible in practice to rectify violations of freedom of association, for example by the reinstatement of dismissed workers in their jobs. The Committee always requested in such cases that procedures should be expedited; rather than complain, such governments should make the appropriate changes to their legislation. This was illustrated in Case No. 1966 (Costa Rica).

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) stated that that morning's issue of The Times of Swaziland described recent events in that country involving the President of the SFTU, Jan Sithole. At 5.30 the previous morning his house had been raided by 12 police officers. He had now been released, but he had been held for a number of hours and interrogated in relation to an investigation into a bomb explosion that had taken place on 28 October. The problem was not unusual: during his detention a four-hour search of his house had been carried out without any search warrant. The newspaper reported that the police had searched three bedrooms, and most of the time was taken perusing documents and books placed on a bookshelf. The superintendent of police confirmed the interrogation was in relation to the bomb blast. However, books and documents on correspondence between the Swaziland Federation of Trade Unions and the Swaziland Democratic Alliance found at Mr. Sithole's home were loaded into two bags. After the confiscation of this material, Mr. Sithole was said to have been ordered to go to the police station to answer questions, and the police had indicated that they would search the SFTU offices. The police did not proceed to the SFTU but went straight to the regional police headquarters with Mr. Sithole, who was then ordered to take a seat in the boardroom where the interrogation was held.

Mr. Sithole had told The Times that during the interrogation he was asked to explain why on many occasions he had been escorted by SFTU marshals, a reference to the union representatives who were with Mr. Sithole. Three other members of the trade union were also detained the previous day. Mr. Sithole's reply was not reported. Only a couple of years previously he had been kidnapped, stripped naked, put in the boot of his own car and the car put on the edge of a very large cliff.
where any vehicle in the middle of the night could have knocked it over. He was released only the
following morning by a passing motorist. It was not really surprising therefore that on occasion he
had trade union colleagues with him to ensure that this kind of event did not happen again.

The police also seemingly wanted to know why whistles and shouts of praise were bestowed
on him by workers, because such whistles and shouts of praises were reserved for the King. He had
himself personally visited Swaziland and had travelled in a car behind Mr. Sithole. People on the
streets had waved to him and cheered, as he was obviously a very popular figure. This was
apparently questionable. Mr. Sithole had been detained because of his role as head of the trade
union. While the Government might claim otherwise, the simple fact was that, in Swaziland, there
was no democratic process. It was a feudal kingdom, and the only democratic organization in the
country was the Swaziland Federation of Trade Unions. Mr. Sithole had also been accused of
operating illegally the Swaziland Democratic Alliance. It seemed obvious that Mr. Sithole was
systematically arrested, incarcerated and subsequently released by the courts. This was blatant
harassment. It was right for any government to hunt down perpetrators who planted bombs, but it
was wrong to use that as an excuse for such obvious victimization.

Mr. Ducreux (Government, Panama) drew attention to the fact that the Committee had had
before it 18 new cases concerning Denmark, Zambia, Luxembourg, Turkey, Portugal, Costa Rica,
Venezuela, Comoros, Bulgaria, Japan, Brazil, Venezuela and others. The work involved was
extensive, especially where the full information was lacking. Two cases concerning Colombia,
however, were striking for the completeness of the details. The situation in Colombia was extremely
difficult and the Governing Body should do its utmost to bring about improvements.

Mr. Babakissina (Government, Congo) referred to the positive developments in the cases
concerning his country. Some of the Committee's recommendations had still to be implemented. In
particular, the call for premises to be made available to a trade union federation. It should not be
forgotten that Congo was emerging from war, and while his Government did not intend to shirk its
responsibilities, for the moment it could not even house its own officials properly. The Government
was committed to dialogue with all industrial associations and remained attached to the principles
of freedom of association.

Mr. Mndzebele (Government, Swaziland) stated in reply to Mr. Brett that Mr. Sithole had
indeed been taken by the police for interrogation following the bomb blast on 28 October 1998 after
the King had just crossed the bridge from Mozambique. Traditionally, the King's movements were
always kept secret, but social liberalization had meant that nowadays many more people tended to
know. There was hence a link between access to such information and the bomb blast, and this was
the reason why Mr. Sithole and many others had been questioned. As for the search of his house
without a warrant, this had been carried out by certain police officers who were gazetted, which
meant that they did not require a warrant. As regards the accusation that Mr. Sithole was subjected
to harassment because of his trade union activities, it should be realised that in Swaziland political
parties were illegal: the trade union centre was the only organization which, under the law, had a
right to express opinions on matters of public policy. As regards the Industrial Relations Bill, the
information in the report was accurate: the Minister of Labour wished to have Parliament
reconvened after it had been dissolved before the Bill could complete its passage. Unfortunately,
legal barriers had made it very difficult to recall a body that had been dissolved. The second option
was that, since the Council of Ministers also had legislative powers, it was requested to examine the
Bill. The outcome was not known, but there were technical problems in that the Bill contains quite
substantial departures from the current legislation, and it would hence have been more suitable for
it to be dealt with by Parliament, where interested parties can lobby. Elections to the Parliament had
been held the previous month, but the annual ceremony of the opening of Parliament would not be
held for several weeks. Parliament could start early in 1999 with its business, which would include
the Industrial Relations Bill. That Bill was now a priority and had consumed a considerable amount
of time, causing other issues raised by the Committee to be overlooked. Some explanations had been
given in respect of Mr. Nxumalo's dismissal, but it still had to be determined that this had been due
to his trade union activity. He had now entered into another contract with his former employer as
a full-time employee for freelance work. He was hence still doing business with his former
employer.
Mr. Sarkar (Government, Bangladesh) stated in reply to Mr. Edström that it was not the stated intention of the Government of Bangladesh not to comply with the Committee’s recommendations. Bangladesh had always extended full cooperation to the ILO and would continue to do so. Case No. 1962 was controversial, and involved a conflict between the national labour legislation, the Industrial Relations Ordinance of 1969 and ILO Convention No. 87 on freedom of association: while the ILO Convention allowed any number of workers, however small, to form a union of their own choosing, Bangladesh law imposed the condition that unless a union comprised 30 per cent of the workers of an establishment, it was not eligible for registration. His Government considered that to allow any number of workers to form trade unions would result in Bangladesh in a multiplicity of trade unions that would run counter to the workers’ interests, and had hence requested in its communication to the Committee that it be allowed to retain this provision. It was not in any way a refusal. The Government had now constituted the National Labour Law Reforms Commission to consolidate all the labour laws and promulgate a comprehensive Labour Code. That National Labour Law Commission was headed by a retired Supreme Court judge. The Commission had submitted a draft Labour Code that was under further examination by the National Labour Law Review Committee, which was a truly tripartite committee and was working on the subject. He would bring the matter to the notice of the Review Committee for due consideration, and the decision taken in this regard would be conveyed to the Committee on Freedom of Association.

As regards the cases pending in the labour courts which were filed by six of the eight BIGU members whose employment was terminated, no information had been given and the Government had taken no action. Once a case was filed in a court of law in Bangladesh the matter was sub judice and judicial proceedings were continuing, and the Government could not act. As regards the need to clarify Ms. Kalpana’s employment situation, he would verify the factual position and inform the Committee on Freedom of Association.

As regards the refusal to register trade unions in Saladin Garments Ltd., this was a matter for the competent registrar of trade unions, in this case the Director of Labour, who had verified the substance and form of the application for registration and had refused it. The union had now filed a case against the registrar of trade unions and the Government in the labour court, and the case was still sub judice. The Government was hence unable to act. The court’s decision would be impartial and binding on the Government, and there was no appeal from it. As soon as the decision was handed down by the labour court it would be communicated to the Committee on Freedom of Association.

The sitting closed at 1.10 p.m.
The sitting opened at 3.25 p.m., with Mr. Akao in the Chair.

Sixth item on the agenda

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION (concl.)

311th Report

The Governing Body took note of paragraphs 1 to 96 of the report.

Mr. Patel (Worker, South Africa) noted the statement by the representative of the Government of Swaziland concerning the search of Mr. Sithole's home, that Swazi law did not require search warrants, and that the Government was too busy studying industrial relations legislation to investigate Mr. Sithole's abduction, which had taken place more than two years previously.

To the Workers the issues seemed very clear. First, there had been an undue and unjustified delay in investigating the abduction of Mr. Sithole and in setting up an independent inquiry. The Government had relied instead on the Swazi police to investigate the matter, even though the police themselves had allegedly been involved. The documentation submitted by the Government on the Committee's request for independent investigations stated that the Government had adequate facilities in the Royal Swaziland Police to carry out such investigations and had not yet decided on the establishment of an independent investigation.

Secondly, there seemed to be an ongoing campaign against the officials of the Swaziland Federation of Trade Unions, and in particular Mr. Jan Sithole, as evidenced by the details of his latest arrest the previous day. Furthermore, from the reports received from the Swaziland Federation of Trade Unions, it seemed that relations between the Government and the trade union movement remained tense. The Workers had been informed of the death of Mr. Mcolisi Mbata, an official of the Swaziland Federation of Trade Unions who had been arrested a few years previously and badly beaten up by the police, who had died as a result of the injuries. There had been a call by the Swaziland Federation of Trade Unions for a public inquiry into the circumstances of his arrest, the beatings and his death.

He regretted that the Government's statement had merely described without comment the dictatorial practices and suppression of due process of law perpetrated to ensure arrests. The Workers' group therefore called on the Government of Swaziland to cease its harassment of trade unions, to implement the request by the Committee on Freedom of Association and to appoint an independent commission of inquiry into the death of the 16-year old schoolgirl killed during a mass stay-away, as well as an independent inquiry into the abduction of Mr. Sithole. The Government should also accelerate the adoption of labour legislation that would grant Swazi workers freedom of association and the right to bargain collectively.

He recalled that, in June 1998, the Swaziland Federation of Trade Unions had expressed grave concern to the Workers' group that the adoption of legislation introducing a new dispensation was likely to be delayed until 1999. This had been confirmed by the Government of Swaziland's statement. The Governing Body should clearly convey to the Government its grave concern at its delay in implementing all the Committee's recommendations and should call for the adoption of appropriate legislation to extend trade union rights to the workers of Swaziland.


Mr. Wong (Government, China) said that it had been the long-standing policy of the Hong Kong Special Administrative Region to improve progressively employees' rights and benefits in step
with the pace of Hong Kong's economic and social development, and while ensuring a reasonable balance between the interests of both employers and employees. His Government steadfastly upheld the principle of consulting the Labour Advisory Board, the most respectable and representative tripartite consultative body in the territory on labour matters, including legislation and the application of international labour Conventions. This well-established mechanism had served the territory well, as evidenced by the greatly improved labour rights and benefits and the harmonious labour relations enjoyed in Hong Kong over the past few decades.

Concerning Case No. 1942, which his Government had received only a few days previously, the Government of the Hong Kong Special Administrative Region maintained the position it had expressed in the reply to the Committee in May 1998.

His Government had already undertaken to restore the provisions concerning the conditions for reinstatement under the territory’s labour legislation, which was one of the recommendations listed in the report. However, the restriction on the use of trade union funds was a necessary safeguard to ensure that the role of trade unions in Hong Kong would be confined to the promotion and protection of the well-being of their members. He disagreed with the Committee’s remarks on his Government’s decision, which had been supported by the Labour Advisory Board, to repeal the employee’s right to the representation and collective bargaining ordinance which sought to introduce compulsory collective bargaining in Hong Kong. In this connection, it was important to note that the Government had since April 1998 actively promoted direct and voluntary negotiation between employers and employees, for example, by encouraging and assisting establishments to set up machinery for voluntary negotiation and effective communication. He reassured the Governing Body that there was no question of limiting labour rights or benefits by the Government of the Hong Kong SAR. On the contrary, it was doing everything within its power to improve the situation.

Mr. Edström (Worker, Sweden) welcomed Mr. Wong’s remarks concerning his Government’s intention to act on one of the Committee’s recommendations. However, the Workers also wanted the other recommendations to be taken into account. Otherwise, the Government would simply be repeating the information submitted to the Committee in May. This request was not excessive. The Workers had great difficulty sharing the view of certain governments that they knew better than the unions themselves as to how to use their own money. Governments should trust workers and their own organizations to use these funds in their own interest.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) observed that the Government of the Hong Kong SAR should not be too reassured by the support of the Labour Advisory Board, as this body excluded the Hong Kong Confederation of Trade Unions.

Mr. Noakes (Employer, Australia) welcomed Mr. Wong’s statement, which did not reject the Committee’s recommendations outright, although there was an indication of disagreement. He had also noted the emphasis placed on consultation. The Governing Body could therefore look forward to an ongoing dialogue between the Government and the Committee in an attempt to resolve the issues concerned.

The Governing Body adopted paragraph 271 of the report.

Mr. Yepes Arcila (Government, Colombia) considered that the urgent appeal directed to his Government in paragraph 8 of the report seemed unwarranted, since it had in fact submitted the information required concerning Case No. 1955 in a letter sent to the Office on 9 October 1998. However, if the paragraph implied that the information submitted should be expanded or repeated, his Government would as usual do everything in its power to comply with this request. He was concerned by the terms of the paragraph, as the new Government in Colombia, which had been in office only since 7 August 1998, had been particularly diligent in responding to the appeals of the international community, which followed very closely the complex problems prevailing in his country. As regards new complaints, his Government would cooperate fully with the requests for further studies. He would therefore submit the information requested as soon as possible.

With respect to Ms. Engelen-Kefer’s statement, he stated, that all the complaints referred to the painful and tragic consequences of the overall climate of violence that reigned in Colombia, and all indicated that the perpetrators of these unfortunate events were those responsible for the climate of violence, not the Government. To his knowledge, no officials of the Colombian Government had
been accused of murder or violations of human rights. If any such accusations had been made, his Government wished to know precisely what cases were involved so as to carry out the necessary investigations, apply sanctions where appropriate and, above all, to dispel any insinuation that the Government was responsible for the long list of serious violations described in the studies.

Colombia was experiencing one of the most complex public order situations anywhere in the world. The general atmosphere of violence, which had originated in politically motivated subversion some 40 years previously, had in recent years been compounded by the drug trade and organized crime. Furthermore, paramilitary groups linked to the major sources of crime largely contributed to the high level of violence. Though Colombia was a democratic State, full enforcement of human rights could not be ensured because it was very difficult to pinpoint the source of the various crimes. This undoubtedly led to the violation of the most fundamental and precious human rights.

Colombia had a judiciary that was wholly independent of the political apparatus, and many members of this judiciary had themselves fallen prey to the violence. While it was clear that the judiciary had not always been effective in fighting crime, it was totally unjust to accuse the Government of inertia or complicity in the violence. The intense efforts of both the judiciary and political authorities to combat crime had been far outstripped by the level of sophistication and sheer scale of the violence. In the exceptional cases where agents of the State had themselves committed human rights violations, they had been punished effectively by the authorities.

With regard to the assassination of the Vice-President of the Colombian Workers' Union, Mr. Jorge Ortega García, he pointed out that the matter was referred to as if it two separate cases were involved. It concerned one and the same crime, which had devastated Colombian society. All murders were execrable, but this case was particularly repugnant, due to Mr. Ortega's prominence and his long years of struggle for the cause of workers. The Government had fully expressed its revulsion at this act and its desire to bring about justice by offering a very large monetary reward to anyone who could provide information that would lead to the identification, arrest and conviction of the perpetrators. In view of the arduous task undertaken by the Government of Colombia in this regard, it was unfair to claim that Mr. Ortega had been killed because he had submitted complaints to the ILO. There was no plausible evidence to suggest a necessary link between his death and his trade union activities. The Government of Colombia did not yet know why Mr. Ortega had been assassinated, and would pursue its investigation of the matter. Like the many other murder cases mentioned in the complaint, his Government intended to provide all the information it could to the ILO, for which it had the utmost respect and whose principles it fully upheld.

Referring to the urgent appeal by the Employers' and Workers' groups for his Government to end impunity and bring about peace, he stated that the international community was supporting the new Government's courageous efforts to establish peace in the country. Those who closely followed the situation in Colombia had no doubt observed all his Government's efforts, initiated by the President of the Republic himself, to conduct dialogue with the guerrillas, so as to eliminate the most serious of the threats to peace in the country. The Government was making progress in this regard and once peace with the guerrillas had been achieved, they would no doubt assist the Government in finally eliminating the other sources of violence.

Ms. Engelen-Kefer (Worker, Germany) observed that the recommendations in the report concerning Colombia had been unanimously adopted in the Committee on Freedom of Association by all its members. Speaking as Worker spokesperson of the Committee, she said that this was not the first time that a complaint had been lodged against Colombia, and the list of murdered trade unionists continued to grow. In none of the cases had the Government indicated that the murder of the trade unionists had been clarified by the courts. Therefore, while there might have been attempts by the Government to bring about justice, there had so far been no results. The annex to the Committee's report on Colombia contained allegations of severe physical aggression and repression of trade unionists by the police during a legal strike. The Government's denial of responsibility was not very convincing, as it should be able to control its police, who were an integral part of the state apparatus. The Committee had also questioned to what extent the paramilitary troops were independent of the Government. Was it not the Government's obligation to ensure that there were no such violations of trade union rights, or did it have to wait until the murder and detention of trade unionists by paramilitary groups took place?
Mr. Ortega had been assassinated after the International Federation of Trade Unions had informed the Colombian Government that death threats had been made against him and had requested it to ensure that these threats were not carried out. However, the Government had failed to act and he had been murdered. If the Colombian Government’s commitment to action was truly sincere, it could ensure that the same fate would not be reserved for the seven persons on the list sent to the Government by the ICFTU who had also received death threats.

There was an obvious connection between Mr. Ortega’s assassination and his trade union activities, as he had been murdered very shortly after lodging a complaint to the ILO about violations of trade union rights. The same applied to the trade unionists who had cooperated with the tripartite mission and who had been murdered very shortly after the mission had taken place. These cases involved the most severe violations of the Conventions on freedom of association, which concerned not just trade union rights, but human rights. Therefore, she urgently appealed to the Colombian Government to fulfill its promise. The situation was not improving, but worsening.

Mr. Noakes (Employer, Australia), commenting on the statement by the Government of Colombia, said that the Committee had in fact received the observations forwarded by the Government on 9 October, but had considered them partial and incomplete. Hence the appeal in paragraph 8. As he had indicated at the previous sitting, it had been characteristic of the cases concerning Colombia that incomplete information or, in some cases, no information had been received. The Committee was therefore anxious to obtain complete information from the Government concerning the allegations, and had called for this information in its recommendations in paragraph 287 of the report, as well as in the annex.

He particularly welcomed the Government’s statement, as it helped to allay misgivings concerning its attitude. The Committee was perfectly well aware of the difficulties facing the Government, and the Employers’ group was anxious to assist it in its efforts rather than to blame or penalize it if at all possible. However, the ultimate responsibility for ending the situation rested with the Government. Its statement reflected an acceptance of that fact and a willingness to assume this responsibility.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) said that the Governing Body hoped that the peace accord sought by the Colombian Government with the guerillas would be achieved. In view of the Government’s failure to provide Mr. Ortega with protection, despite the repeated requests by the Secretary-General of the ICFTU, there was every reason to believe that the death threats against the seven trade unionists whose names had been communicated by the ICFTU would be carried out if police protection was not provided. It would greatly help to assuage the Governing Body’s concern about the Colombian Government’s failure to act if it could be assured that protection would be given to those individuals.

Mr. Yepes Arcila (Government, Colombia) stated in reply that, as Mr. Ortega had been receiving threats for quite a long time, he had been offered police protection, particularly in the form of escorts from the Administrative Department for Security. At the end of September, Mr. Ortega had rejected the Government’s offer and the escorts, saying that he did not want protection from the state security apparatus. He had requested that ad hoc escorts be recruited from guerillas who had been reintegrated into civilian activities and who offered their services as private guards. The Government had replied that Mr. Ortega should keep the escorts that had been chosen for him by the state security apparatus, and he had written to the Government insisting that he did not want those particular escorts. They had therefore been withdrawn. Mr. Ortega had been killed while the Government had been making other arrangements for his protection. In addition, the Government had said to other union leaders who might be running risks in their day-to-day activities that they should avail themselves of the services of the state security apparatus. During the recent public sector work stoppage when Mr. Ortega had been killed, the President had met with these persons to ask them to change their attitude and to accept the escorts provided by the State, so as to prevent future tragedies.

Referring to Mr. Brett’s statement, he said that his Government was extremely vigilant in protecting persons, particularly trade union leaders, whose lives were at risk due to their important social and labour activities. They had therefore been provided with protection and escorts. He hoped
that these steps would have the desirable preventive effect, which they could have had in the case of Mr. Ortega had he not rejected such protection.

There seemed to be a degree of confusion in Ms. Engelen-Kefer’s statement when she referred to paramilitary activity in Colombia. The term "paramilitary" used in the Colombian context in no way implied a link between these groups and the State. It referred to independent groups of people who were not linked to guerrilla groups, and who illegally provided armed protection to persons who considered that the State was unable to do so reliably. Some of these groups openly antagonized the State, which condemned the criminal acts that they committed. The Government could therefore not be held responsible for the activities of these groups.

Concerning Ms. Engelen-Kefer’s reference to human rights violations by the government services, he said that a distinction should be made between these acts and other serious violations such as assassinations. She had made value judgements by inferring that the police had committed acts of violence in their brutal repression of legal strike activity. Considered objectively, the response of the police had been that of any other police force faced with similar public order disturbances anywhere else in the world. In none of these cases did the authorities consider that excesses had been committed by the police which warranted condemnation or the submission of complaints to the legal authorities.

Concerning the legality of the strike in question, his Government would provide information in due time, demonstrating that this strike had not been legal and that the value judgements that had been made in the description of the events did not reflect the real situation. If it were to be proved that the state employees had committed reprehensible acts, his Government would be fully prepared to sanction the perpetrators.

Mr. Edström (Worker, Sweden) stated that the Governing Body had difficulty believing that the state police were not involved, as no one had been arrested, tried or sentenced. If the judicial proceedings were actually to produce some results, it would be easier to judge who was responsible. He drew attention to paragraph 282, which confirmed — and not simply alleged — that there were still people in the armed forces and police who committed illegal arbitrary acts.

Mr. Joublanc (Government, Mexico) appreciated the political resolve of the Colombian authorities to prosecute those responsible for crimes and, given the highly complex problems that prevailed in Colombia, the Government’s attitude of awaiting suggestions from the ILO.

The Governing Body adopted the recommendations in paragraph 292 of the report.

Mr. Ju (Government, Republic of Korea) stated that since joining the ILO in December 1991, the Republic of Korea had made efforts to realize the Organization’s basic principles, including freedom of association. With regard to ratification of the fundamental Conventions, he said that immediately after ratifying the Equal Remuneration Convention, 1951 (No. 100) the previous December, the Korean Government had been making vigorous efforts to ratify other Conventions. Currently, the Republic of Korea was conducting the ratification process for the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), as well as the Minimum Age Convention, 1973 (No. 138). By the end of 1998 the Korean Government hoped to be able to send the ratification letters to the Office.

As regards Case No. 1865, an important agreement on labour issues had been reached at the first meeting of the country’s tripartite commission in February 1998. As mentioned in the report, the Republic of Korea had subsequently organized the second meeting of the tripartite commission in June 1998, at which it had conducted further discussions on major issues in compliance with the agreement reached at the first meeting. Due to these ongoing efforts, on 30 October 1998 the commission had reached another important agreement on legislation for teachers’ freedom of association.

The Korean Government was now at the stage of submitting the draft law to the National Assembly. If this law was passed by that body it could be expected that the registration issue of the Korean Teachers and Educational Workers’ Union (CHUNGKYOJO) and the Korean Federation of Trade Unions (KCTU) would be solved. A number of other issues were being discussed in the commission and the Korean Government would faithfully inform the Office of any further developments regarding the recommendations of the Committee on Freedom of Association.
As mentioned in the report of the ILO high-level tripartite mission the previous March, the complex issues involved in the reform process of industrial relations in the Republic of Korea meant that it would require a great deal of time and effort. Nevertheless, the Korean Government maintained its firm belief in the need for reform and continued to carry out this process on a tripartite basis.

The current financial crisis was an unprecedented experience for the Korean people. In tackling this crisis his Government was faced with complex and conflicting tasks. It had to reconcile the need to improve the economic situation by introducing a more flexible labour market with the growing need to protect employment and to promote social security. In addressing these complex challenges, the Korean Government was doing its best to find harmonious and balanced solutions through the reform process.

With regard to some unfortunate incidents which had resulted in violence and thus in intervention by the authorities, the Korean Government would further endeavour to find balanced approaches to deal with these cases on the basis of democratic principles, respect for law, and protection of workers’ rights.

Mr. Cho (Employer, Republic of Korea) stated that the union’s allegation in paragraph 334 that the Hyundai Motor Company had planned to destroy the union by dismissing elected union officials was unfounded and required clarification. The company had originally planned to lay off some 2,500 redundant workers after the financial crisis had caused car sales to plummet and had dimmed the prospects for business in the future. After three months of harsh confrontation and negotiations, however, the company had managed to lay off only 277 workers, including eight shop stewards who were not full-time union officials. The original lay-off list had been determined according to objective criteria, such as job performance, length of service, etc., regardless of workers’ status. Indeed, there had been no discrimination at all against trade union members per se, since every worker was a union member. During the negotiations, the Hyundai management had offered to exclude union officials from the lay-off list, but the trade union had refused to do so for a hidden reason. They had known that if trade union officers had been excluded from the lay-off list, the trade union could not have survived in the face of ordinary workers’ strong opposition against their privileges.

He emphasized that the Workers’ Representatives Recommendation, 1971 (No. 143), according to which recognition of priority should be given to workers’ representatives with regards to their retention in the event of workforce reductions, was therefore not applicable to the Korean situation. Furthermore, the Recommendation seemed to contradict Paragraph 23 of the Termination of Employment Recommendation, 1982 (No. 166), which stipulated that the selection for termination should be made according to objective criteria. It would be unjust to exclude union officials from dismissal by giving them preferential treatment.

Secondly, concerning the payment of wages by companies to full-time union officials mentioned in paragraph 339(a)(ix) of the report, he recalled his statement to the Governing Body at its March 1998 session that the decision to prohibit such payments should be maintained and that the fundamental principle of no work/no pay should be upheld. If there were no legal stipulations to prohibit such payments, employers would have no other choice but to pay those who did not work for the company. Saying that this matter should not be the subject of legislative interference was tantamount to encouraging unfair labour practices in the Republic of Korea. In any event, this matter was now being discussed at the second round of talks in his country’s tripartite commission. The trade union leaders’ position was not gaining much support from workers or from the general public. On the contrary, they were severely criticized for pursuing only their own interests when many workers were facing the threat of lay-offs, which were inevitable due to the economic crisis. He sincerely hoped that the Committee on Freedom of Association would take these observations into consideration and reflect on them in its next report.

Mr. Edström (Worker, Sweden) thanked Mr. Ju for his statement, particularly the information given about steps taken to legalize the teachers’ union. The Workers welcomed this and other recent developments, as well as the Government’s attitude. He trusted that the Government’s continued cooperation in implementing the Committee’s recommendations would generally contribute to
resolving the conflict in a manner that would promote continued dialogue in the second meeting of the tripartite commission.

Commenting on Mr. Cho's reference to other ILO instruments, he stated that the task of the Committee on Freedom of Association was to consider matters related to freedom of association, and the Governing Body should not confuse these issues with instruments on other subjects.

Regarding the payment of wages, he reiterated the Workers' position, which was shared by the Committee as a whole. They had noted that this matter had been included in the list of subjects for future consultation in the Subcommittee on Industrial Relations, and hoped that all the parties involved would work in good faith to solve this problem. He had never heard of any country that actually had this type of legal imposition prohibiting the partners themselves from settling such a matter.


312th Report

The Governing Body adopted paragraph 77 of the report.

Fifteenth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

First report: Complaint concerning the non-observance by Nigeria of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made under article 26 of the Constitution of the ILO: Report on the direct contacts mission to Nigeria

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) endorsed the concluding remarks and the points for decision contained in the report. Members of the Governing Body had held direct discussions with the Nigerian government officials and minister present at the session and had been reassured to learn that the three remaining decrees that the ILO wished to see repealed would be abolished by mid-December. He greatly appreciated the speed and actions of the new Government of Nigeria. He hoped that in March the Governing Body would receive more positive information from Nigeria in this regard.

Mr. Udogwu (Government, Nigeria) expressed his Government's profound gratitude to the Governing Body for the understanding shown and the support given to Nigeria during the difficult days of its national history. The views, comments and sometimes outright criticisms of the Governing Body had helped his Government to reassess some of the measures taken by the previous administration. They had also greatly helped the present administration to redouble its efforts in making the necessary changes. Fully aware of the historic responsibility it now had to assume, his Government would leave no stone unturned in ensuring a solid foundation for democracy in Nigeria. He also reassured the Governing Body that Nigeria, which had for many years greatly contributed to international efforts to enhance the image and dignity of man, would not abandon that cause. In this connection, he reiterated the remarks by Nigeria's Head of State and Commander and Chief of the Armed Forces during his maiden address to the nation in June 1998, that Nigeria should continue to honour all international obligations and maintain international peace and security. Nigeria would remain steadfastly committed to upholding the fundamental principles of human rights, as enshrined in the various Conventions to which Nigeria was a party.

The present administration had set in motion a credible transition to civil rule, the programme of which would usher in a democratically elected president on 29 May 1999. In the short period since it had come to power, the Government had released the ten labour leaders who had been detained, accepted the ILO direct contacts mission to Nigeria which had taken place from 7-21 August 1998, and had repealed Decrees Nos. 9 and 10 of 1994 and Decree No. 24 of 1996. With
the repeal of these Decrees, the sole administrators hitherto appointed by the Government to manage the affairs of the Nigerian Labour Congress, the Nigerian Union of Petroleum and Gas Workers and the Petroleum and Natural Gas Senior Staff Association had been removed, leaving both NUPENG and PENGASSAN to choose their executives in accordance with their respective constitutions. The new national executive councils of NUPENG and PENGASSAN had been elected to office on 25 September 1998 and 7 October 1998, respectively. Mr. Kokori and Mr. Dabibi, who had been released from detention, had now been elected general secretaries of NUPENG and PENGASSAN, respectively. An elected caretaker committee was currently overseeing the Nigerian Labour Congress, and the final process of democratization of the Congress would take place during the second week of December 1998. The review and amendment of the other Decrees (Nos. 4, 26 and 29) of 1996 which had limited and impeded freedom of association were at their final stages of promulgation into law. He was confident that the relevant texts would be finalized shortly and copies would be made available to the ILO secretariat.

Finally, he reaffirmed his Government's commitment to the ongoing process of democratization of the Nigerian labour movement within the framework of Convention No. 87. All the present administration needed was continued encouragement and, where appropriate, technical support to enable the Government to meet the needs of all the social partners in the country.

The Governing Body adopted the recommendations in paragraph 3 of the report.

Second report: Complaint concerning the non-observance by Colombia of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made by delegates to the 86th (1998) Session of the Conference under article 26 of the Constitution of the ILO

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) referred to subparagraph 9(a) which mentioned observations to be submitted by the Government of Colombia by 15 January 1999. In the light of the earlier statement by the Government of Colombia, he hoped that the Government’s comments would enable the Governing Body to take a more lenient attitude to the complaint and the proposal in subparagraph 9(b). He was prepared to support this proposal if the selection of judges, as well as administrative and budgetary matters, could be settled without delay if the Governing Body felt in March that it had no alternative but to refer the complaint to a commission of inquiry. He hoped that the Government’s response would persuade the Governing Body that enough action was being taken by Government and a commission of inquiry was not needed.

Mr. Thusing (Employer, Germany; Employer Vice-Chairperson) would also support the proposal if the Office could assure the Governing Body that a commission of inquiry could be set up without delay.

The Governing Body adopted the recommendations in paragraph 9.

Fourth item on the agenda


Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) considered it pointless to choose a potential standard-setting item and one for general discussion two-and-half years in advance. While the approach to the portfolio was a good one, he wondered whether a procedural change should not be made to the manner in which the portfolio was used to determine the agenda of each Conference. If, for example, there were to be one standard-setting item, one for revision and one for general discussion, the portfolio could be segmented along those three lines, thus giving the Governing Body greater flexibility. Segmenting the portfolio would enable the Governing Body...
to discuss two years in advance the choice of standard-setting items and those for revision. The choice of the general discussion item could be done at a later stage, closer to the session of the Conference at which it would be discussed. This would ensure that more topical issues were selected. Had the system been in operation over the past few years, for example, the Governing Body might have decided to place the social impact of globalization on the Conference agenda for general discussion earlier than 2001, and there would not have been the two-year delay.

While he appreciated the general desire to revise standards, if this were done slowly, the ILO would be adding more revisions to the list of revisions than were actually completed. Not all revisions required a whole session of a Conference, and there were some years when two standards could be revised. If the Employers’ and Government groups supported the proposal, the Office could be requested to prepare a paper on it as a basis for discussion at the Governing Body’s next session. While he had no major difficulty with the selection procedure as set out in paragraphs 2 to 5 of the report, he felt that the Workers’ own proposal might prove to have greater merit if presented in an Office paper.

The Workers did not have as many problems with paragraphs 7 and 8 as with paragraphs 9 to 13. Paragraph 9(a) misleadingly implied that there had to be an increase in the number of ratifications required for an instrument to enter into force, whereas what was really being proposed was simply that an increase be considered. Some of the ILO’s ratification requirements concerned very technical issues, and this would therefore give rise to difficulty.

What caused the Workers even greater concern was the proposal in subparagraph 9(b) that governments should be asked why they had not ratified Conventions which they had supported by an affirmative vote at the Conference. This seemed a very mistaken approach. It was an infringement of the sovereignty of member States, and it created difficulties as it erroneously suggested that governments did not change their policies. By way of example, the British Government’s attitude to the ILO in the last decade demonstrated clearly how two successive governments could view the Organization’s work in totally different ways. Thirdly, the question could be seen as an attempt to intimidate government officials in their decision to vote at the Conference, for they would feel that they could vote in favour of Conventions only if their governments were in a position to ratify them. This would be contrary to the spirit of standard setting. As neither the Workers nor the Employers were subjected to such constraints, it would be unfair to impose such a condition on Governments. He agreed to the other three points, and proposed that priority be given to the preparation of a Code of Good Drafting Practices. Such a code would probably save many hours of argument about the particular wording of ILO texts, thereby enhancing the smooth running of meetings. It would be of great value to all participants, particularly those attending ILO meetings for the first time.

Mr. Thiising (Employer, Germany; Employer Vice-Chairperson) said that the Governing Body should get used to the idea of having a general discussion as part of the standard-setting process. In addition, when discussing the portfolio, the Governing Body had agreed on a list which could be discussed in 1999. However, as some of the items that it had selected were not at a sufficiently advanced stage of preparation, it was obliged to choose from those items that the Office had adequately prepared.

Turning to Mr. Brett’s proposal regarding a new procedure, he stated that the Employers were open to change and consideration should be given to this proposal in due time. He did not agree that the Office should be asked to prepare a paper at this stage. As the Governing Body had only recently agreed to introduce the new selection procedure, it would be wise to wait and possibly discuss the new proposal in 1999.

The Employers had no difficulty agreeing to the proposals in paragraph 9. They needed only to be submitted to the Committee on Legal Issues and International Labour Standards which would discuss it and report back to the Governing Body. He did not share the Workers’ criticism of paragraph 9(b), as asking governments that particular question was not tantamount to interfering with their sovereignty. If a government changed and did not want to ratify an instrument adopted by its predecessor, it had every right to do so, but there should be no problem in explaining its reasons. Governments were not obliged to reply to the question. He was surprised that Mr. Brett
considered the question as an attempt to intimidate government officials. Could this be said of the ILO's ratification campaign?

Mr. Willers (Government, Germany) stated that Mr. Brett's proposal mainly concerned subjects for general discussion, as the selection of topics for standard setting, whether a new instrument or the revision of existing instruments, could not really be shortened due to the deadlines set by the Constitution. However, it was worthwhile to consider the idea of selecting topics for general discussion closer to the session of the Conference at which they would be discussed. He questioned whether it was actually necessary for the Office to prepare a document by March. However, there was sufficient time to consider the proposal before then.

As regards the point for decision in paragraph 9(b), he fully understood Mr. Brett's misgivings. He disagreed to some extent with Mr. Thüssing's statement. A government could not simply shelve an instrument that had been adopted by the Conference, whether it had voted for or against it. According to article 19 of the Constitution, governments were obliged to submit such instruments to their national legislative bodies and in most democratic countries were accountable to parliaments if they decided not to ratify them.

The new proposal requiring that all governments give additional justification if they had agreed to a Convention and did not ratify it would be going too far. There might be many reasons why delegates would adopt a text at the Conference even if they did not immediately perceive the effect it would have on their national situation. Even if a delegate had doubts about his country's ability to ratify the instrument, out of international solidarity he should make the instrument available to other countries for which it might be useful.

Mr. Poisson (Government, Canada) considered that improving the ILO's standard-setting activity had for some time been a major concern for Canada and the IMEC group. Since its inception, the ILO's standard-setting activity had produced instruments covering a wide range of subjects. Some adjustments were obviously necessary when new problems requiring standard-setting activity arose. However, the new Conventions adopted in recent years enjoyed a very low level of ratification by member States. In the coming years it was important to recognize the need to revise and update the labour code. In this context, it was necessary to consolidate instruments and perhaps to develop new global instruments in such fields such as safety and health at work, which comprised a number of sectors and subsectors.

It would be useful to consider a simplified process to revise standards. While he endorsed Mr. Brett's proposal to segment the choice of new subjects in certain categories, his Government was not prepared to make a commitment to systematically placing a standard-setting item on the agenda of each session of the Conference. However, a specific category for general discussions and a combination of the three technical systems could perhaps facilitate the choice available.

Turning to the paper itself, he supported the proposal in paragraph 5(a) concerning the requests for additional information, but had doubts about the content of paragraph 5(b) which suggested that the Governing Body should examine the outline of an instrument even before the questionnaire was sent to member States. He was not convinced that this approach was necessarily the best, since the ideas seemed to be determined in advance, thereby calling into question the very purpose of the questionnaire.

Paragraph 9(a), which proposed an increase in the number of ratifications necessary for a Convention to enter into force, should be examined more closely. While he endorsed the proposal in paragraph 9(b), it should be noted that the memorandum requested information on the draft consultation with a view to ratification.

The development of a Code of Good Drafting Practices was an excellent suggestion. The annex to the Director-General's Report to the Conference of 1997 had raised a number of interesting points that were not included in the present Office paper. The first omission concerned the evaluation of the impact of existing standards. It was important to examine and put in place procedures for evaluating standards which could determine their effectiveness. The second omission concerned the use of independent recommendations in order to assist member States in implementing certain major guidelines which could in some cases respond better to their particular national needs.

Mr. Cavaglieri (Government, Italy) expressed his appreciation for the Office's effort to rationalize and enhance the Organization's standard-setting machinery. He favoured the suggestion...
in paragraph 5(a) to conduct a preliminary discussion on a standard-setting item in the Governing Body before the relevant questionnaire was sent to member States. He had some doubts regarding the proposal in paragraph 5(b), as there were always different opinions when a potential subject for standard setting was put forward. In any event, the questionnaires already gave an indication of the main features of the item.

He supported the proposal in paragraph 8 to regroup similar instruments around a main Convention. As regards the point raised in subparagraph 9(a) to raise the number of ratifications required for a Convention to come into force, he recalled that the Governing Body had discussed the matter some time previously and no agreement had been reached as to the exact number. He hoped that in the coming year a generally accepted figure might be agreed upon.

He had understood the proposal in subparagraph 9(b) as simply a way to obtain from governments an indication of the obstacles preventing them from ratifying ILO instruments which their representatives had already approved at the Conference. He had interpreted this proposal as part of the Director-General's campaign to obtain more ratifications, which had been quite successful so far. In a document which had been presented some time previously to the Governing Body, a number of reasons had been given for the hesitation governments might have about ratifying a Convention, and mention had been made, inter alia, of non-conformity with legislation already before the country's parliament, or the excessive length of the procedure. However, the Governing Body had construed that argument to mean that the ILO, particularly through its field structure, might give assistance to governments in order to encourage ratifications, as it did. This would of course require that the obstacles to ratification first be identified.

Point 9(c) concerning the difficult question of evaluation was a praiseworthy initiative. A partial result would be highly beneficial, opening the road to further exercises of the same kind.

While he was not opposed to the Code of Good Drafting Practices envisaged in subparagraph 9(d), he did not clearly understand what the contents of such a code might be or how it was likely to be used in practice.

Concerning subparagraph 9(e), which dealt with the questionnaires that had already been discussed by the Governing Body, he was ready to consider any proposal for improvement that the Office might put forward at the Governing Body's next discussion of the question.

Ms. Boccot (Government, France) thanked the Office for the paper, which responded to real expectations among members of the Governing Body. The Workers' proposal concerning a new system and pace for considering standards was an interesting one, and her Government would consider it in greater detail. What was of paramount importance in this context was the choice of subjects mentioned in paragraph 3 of the Office paper. The maturity, relevance and usefulness of a subject and its ability to add real value to the Organization were the most important criteria to determine this choice. Another point which required further consideration was the proposal in paragraph 5(b) to have a preliminary draft of the proposed instrument. Consideration should also be given to the proposal in paragraph 8 to reflect upon a pivotal Convention around which to group standards if the Governing Body wished to make ILO standards more effective, thus strengthening the Organization's role. For the same reason she approved the proposal in subparagraph 9(d) regarding the preparation of a Code of Good Drafting Practices. She hoped that the Committee on Legal Issues and International Labour Standards would deal with these issues in greater depth.

Ms. Iwata (Government, Japan) felt that the ILO should not increase the number of standards, but improve their quality. This meant preparing standards that could be ratified and applied by as many governments as possible, thus contributing to the universal improvement of labour conditions and security of employment. Issues that were not ripe for standard setting should not be considered for this purpose. As she had stated during the discussion on the portfolio the previous Tuesday, a general discussion should first be held on any subject before it was placed on the agenda for standard setting. Japan reserved its position on paragraph 5 for the time being.

As regards the proposals in paragraph 9, she did not approve those contained in subparagraphs (a) and (b). Although she supported the proposal in subparagraph (c), she recognized that it might take quite some time to put it into practice. In view of the need to act swiftly to implement the recommendations in subparagraphs (d) and (e), she was prepared at this stage to agree to paragraph 13 of the document.
Ms. Sosa Marquez (Government, Mexico) found it useful to have this item on the agenda, concerning ways of improving the selection of items with a view to the adoption of international labour instruments, as the legitimacy and credibility of the Organization would be enhanced by improving its standard-setting activity. She agreed with the statement in paragraph 4 concerning the level of preparation of each item to be placed on the Conference agenda.

She agreed in general with the proposal in subparagraph 5(a). As regards subparagraph (b) it seemed that the Governing Body was being asked to take a position on matters of substance when in fact it should be making a policy decision on whether or not to deal with a particular topic. She was also concerned that the Governing Body might be taking on a task that should really be carried out by member States, through the International Labour Conference.

She favoured the proposals contained in paragraphs 7 and 8 concerning the overlapping and consolidation of instruments and requested that, at the next discussion, more details be submitted as to how the proposals could be implemented, giving an indication of the specific budgetary implications that they might have.

As for paragraph 9, her Government felt that all the proposals should be submitted to the Committee on Legal Issues and International Labour Standards. Regarding the proposal to raise the required number of ratifications, she felt that a significant increase would enhance the universal value of international labour standards.

Concerning paragraph 9(b), she felt that the adoption of instruments by the Conference discussions and their subsequent ratification by member States were two separate and distinct phases in the process of developing a standard. In the first case, the main consideration was universality and the overall value of the standard. In the second case the decision to ratify was based on an analysis of compatibility between national legislation and Conventions. The distinction between adoption and ratification was also reflected in the respective roles of the executive and legislative powers at national level. While the executive power was responsible for adopting the standard, it was the legislative power that was responsible for ratification.

As regards the Code of Good Drafting Practices, she asked whether this was the same as the very useful glossary of terms already being used in the ILO. She had noted the Workers' proposal regarding the manner in which the response time for developing standards could be reduced. She cautioned that, in choosing topics of current interest, the Governing Body should ensure that they also had long-term value.

Mr. Jonzon (Government, Sweden) thanked the Office for the document, with which he was in general agreement. However, paragraph 9(b) warranted closer consideration. Article 5(e) of the ILO Constitution mandated the Director-General to ask Members about difficulties in ratifying a Convention. It did not, however, empower him to ask a government to justify why it had voted in favour of a Convention at the Conference and then subsequently failed to ratify it. It would therefore be difficult to comply with the request in paragraph 9(b) of the report.

Mr. Samet (Government, United States), stated that while the selection procedure and the questions to be submitted to the Committee on Legal Issues and International Labour Standards were obviously very important points, it seemed more important to build sufficient confidence to carry out a coherent and integrated strategy on the whole question of standards. In order to do so, the Governing Body needed to ensure that important, fundamental standards would not be at risk and that benefits could be truly derived from the very ambitious review and analysis contained in the five points in paragraph 9. While these were inherently good ideas, they were not linked to any real strategic vision of the fundamental purpose of the exercise. Paragraphs 7 and 8 began to touch on those questions, although there was no point for decision in them. It seemed more useful to submit a paper to the Governing Body so that it could spend adequate time discussing the points in paragraphs 7 and 8 rather than the other more diffuse elements contained in the paper. In any event, he encouraged the Director-General to draw lessons from his experience to impart to his successor, so that he might be encouraged to take up this issue in a much more strategic and comprehensive manner in the future. Though it would obviously be very difficult, it was essential to decide whether or not the Governing Body would consider this matter in the next few years.

Mr. Salmenperä (Government, Finland) considered Mr. Brett's proposal an interesting one. It would not, as such, represent a fundamental change in the portfolio procedure but would merely
be a slight modification to facilitate the choice of topical issues. Otherwise, he would accept the
proposals put forward in the document, except subparagraph 9(b), as this could have consequences
that would not promote social progress.

Ms. Niven (Government, United Kingdom) stated that during the discussion on the portfolio,
her Government had been among those that had proposed that a general discussion should be an
automatic part of the standard-setting process. She felt that the Workers’ proposal to segment the
portfolio deserved further consideration. She did not wish to imply that there should be a standard-
setting item on every Conference agenda. However, should there be overwhelming support for such
a proposal, it would be interesting to pursue the idea. She supported the idea of having a paper to
address this matter rather than postponing its discussion to another session of the Governing Body.
She strongly supported the proposals in paragraph 8, as they had the potential to simplify and update
standards. Finally, she endorsed the proposals in paragraph 13 of the document.

The representative of the Director-General (Mr. Maupain, Legal Adviser) stated that, in
the light of the Governing Body’s discussions, the Office now had a clear idea of the action to be taken
on the points raised in the document. These questions could be dealt with in three different ways.
First, the Governing Body itself could consider the points raised in paragraph 5 once again when
it next examined the portfolio. Secondly, other questions could be considered in the Committee on
Legal Issues and International Labour Standards. In this connection, in response to the reservations
expressed by Mr. Brett, he stated that simply placing an item on the agenda of that Committee,
particularly as regards the number of ratifications required for the entry into force of a Convention,
did not mean that the Governing Body was prejudging the position that would be adopted. Thirdly,
some proposals such as the evaluation or consolidation of standards would have to be considered
within the wider framework of the programme and budget proposals.

Concerning the segmentation of the portfolio, he felt it was quite legitimate to deal separately
with items for general discussion which, unlike standard-setting questions, were not subject to
specific statutory deadlines. As Mr. Willers had correctly observed, there were strict statutory
deadlines for standard-setting items which the Governing Body had found impossible to shorten in
the past.

Concerning subparagraph 5(b), about which some speakers had expressed reservations, he
stated that the idea of a draft instrument should not be taken to mean that an attempt would be made
to tie the Governing Body’s hands as far as the questionnaire was concerned. This proposed draft
was intended simply to give the Governing Body a more precise idea of the item it would be
choosing. At the same time, the Office would have an indication of how the questionnaire should
subsequently be prepared. Taking the example of contract labour, he thought that it might have been
useful to have a preliminary draft instrument so that the Office could have realized the difficulties
of definition that were to arise.

Finally, the Code of Good Drafting Practices would not be a glossary, but a document that
would make it possible to ensure uniformity in preparing standards. The members of the Conference
Drafting Committee changed with time, and the same questions were asked time and again
concerning such matters as how to draft a preamble or how to refer to other Conventions. It would
obviously be useful to have answers to these recurring questions in a simple and accessible
document.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) said that, in requesting an
Office paper, he had not suggested that he was going to make a decision at the present session or
pre-empt the Governing Body’s decision in 1999. It was simply because the Office could examine
such matters at greater length than the Governing Body could and would be able to point out the
advantages and drawbacks of the proposal. Then it would be possible to have the discussion that
Mr. Thüising had suggested on the basis of concrete information, rather than simply comment on an
abstract idea. He still hoped that the Employers would agree to request the Office to produce such
information.

He was reassured by Mr. Maupain’s reply concerning the number of ratifications required for
entry into force of Conventions. He felt that there was no consensus behind 9(b), for the reasons he
had advanced in his earlier statement and which had been echoed by other speakers. As the Workers
and many governments opposed this proposal, it was perhaps ill-advised for the Governing Body to pursue it.

Mr. Thiising (Employer, Germany; Employer Vice-Chairperson) said that there were indeed differences of opinion on the Employer, Worker and Government benches regarding the substance of this matter. However, the Governing Body was not discussing the substance at the present stage, but simply whether the matter should be referred to the Committee on Legal Issues and International Labour Standards and discussed there. He therefore proposed that the Governing Body refer the matter to that Committee.

The Director-General had proposed a pragmatic solution, in view of the great divergence of opinion. As there were so many questions to be dealt with, the Governing Body should deal first of all with those on which a consensus had been reached and conduct an in-depth discussion at a later stage to determine whether point 9(b) should be retained. This would avoid spending too much time on this matter at the present session when there was already an approved programme of work to be referred to the Committee on Legal Issues and International Labour Standards over several sessions of the Governing Body.

The Governing Body decided to place an item on possible improvements in the standard-setting activities of the ILO on the agenda of the Committee on Legal Issues and International Labour Standards in November 1999 in order to leave sufficient time to carry out the relevant preparatory work and consultations.

The Governing Body adopted the recommendations in paragraphs 6 and 13 of the Office paper.

Fourteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

Ms. Boccoz (Government, France) paid tribute to the memory of Mr. Edward Leemans, former representative of the Government of Belgium on the Governing Body. An advocate of social reform and outstanding mediator, Mr. Leemans had been deeply attached to the promotion of education and training and had been faithful to his ideals. Mr. Leemans had contributed substantially to the strengthening of the role of his country within the framework of the International Labour Organization. Her delegation wished to associate itself with the condolences addressed to the family of Mr. Leemans and to the Government of Belgium.

Mr. Cavaglieri (Government, Italy) was also deeply saddened at Mr. Leemans’ passing, which was a great loss. He had known Mr. Leemans and greatly appreciated his work since he had been director of the Belgian Senate. He conveyed his Government’s condolences to the Government of Belgium.

The Governing Body adopted the recommendations in paragraphs 6 and 12 of the report.

The Clerk of the Governing Body announced that the following States had ratified the Instrument for the Amendment of the Constitution of the International Labour Organization, 1997: Saudi Arabia, Cyprus, Kuwait, Malaysia and Nepal.

TRIBUTE TO MR. MICHEL HANSENNE

Mr. Thüsing (Employer, Germany; Employer Vice Chairperson) said that in the ten years of his mandate as Director-General, Mr. Hansenne had become an integral part of the Organization and it was therefore very difficult to imagine him departing.

Probably one of the thoughts that would pass through Mr. Hansenne’s mind as he left the Office in a few months’ time would be relief from the major responsibility that he had assumed over the past ten years, a responsibility that he had borne with dignity, and sometimes doubtless with joy. There was no doubt that, in such a difficult period, it had on occasion been a burden, which he would probably be relieved to pass on to his successor. On behalf of the Employers, he expressed
appreciation in particular for the effective and appropriate manner in which Mr. Hansenne had been preparing for the transition.

Probably the second sentiment would be that of satisfaction, even pride. It should never be forgotten that Mr. Hansenne had often steered the International Labour Organization through very difficult waters. Due to the need for change as well as conflicting visions and interests, Mr. Hansenne had been obliged to establish and maintain the right balance between what should be modified and what should be retained. Mr. Hansenne had admirably succeeded in this task. This was a major achievement not only within the Office and in the Governing Body, but also at the Conference. In this connection, he recalled the reports that Mr. Hansenne had submitted to the Conference, which had always been thought-provoking, well-prepared and replete with ideas. Mr. Hansenne had given a positive stimulus to the Organization. The most appropriate example in this respect was the Declaration on Fundamental Principles and Rights at Work, adopted by the Conference in June 1998. This could be regarded as Mr. Hansenne’s crowning achievement and his lasting legacy to the ILO.

Perhaps in the last few months of his mandate, Mr. Hansenne would look back with pleasure to the Governing Body. Perhaps, however, there would be an increased sense of relief, since the Governing Body, including the Employers’ group, had not always made his life that easy. This had been inevitable, however. Owing to their specific roles and responsibilities, it had sometimes been difficult to reach agreement. Mr. Hansenne would not have performed his task correctly if he had acted in any other way. However, out of the apparent friction, they had very often been able to find common ground. In the final analysis, positive work had been accomplished, cooperation had taken place in a spirit of fairness and all parties had fully assumed their responsibilities. Mr. Hansenne had always taken the necessary action to ensure that the Governing Body’s endeavours were successful. He had always striven for dignified and fair cooperation with the Employers, and for that his group was truly grateful.

Another of Mr. Hansenne’s sentiments on leaving would probably be nostalgia. He would certainly look back at the previous ten years of his career, but would also probably be looking forward with expectation to the future. He was sure that Mr. Hansenne’s paths would cross with those of many members of the Governing Body at some stage, and was confident that Mr. Hansenne would be present at many interesting developments.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson), on behalf of the Workers’ group, expressed deep appreciation for the talent Mr. Hansenne had brought to the Organization in the previous ten years, which had possibly been the most difficult decade in the Organization’s life. His mandate had started before the end of the cold war, which had been actively played out in the ILO, as it had in virtually all parts of the United Nations system. At the end of the cold war, many had said that the ILO would be consigned to history, as was the fate of many political theories. It had taken a great deal of skill to lend the Organization a credible new profile.

Four invaluable qualities had helped Mr. Hansenne to achieve this goal: industry, integrity, intellect and insistence. Through his industry, he had been able to launch the Active Partnership Policy, which was now beginning to bear fruit. This policy had not been easy to implement in the ILO, even with the support of the Governing Body. No one could call into question Mr. Hansenne’s integrity, which shone through as much as his intellect, as illustrated by the contributions he had made. Finally, it was his sense of insistence that had brought the ILO through a difficult period to the present time. If Mr. Hansenne had any regrets, it would probably be that his successor would be joining the Organization when its prospects were much brighter than they had been when he had taken office. Echoing Mr. Thüsing’s remarks, he stated that Mr. Hansenne had made life for the Workers just as difficult as he had for the Employers. This was obviously due not only to his integrity, but also to his insistence on what he believed the Organization should stand for — primarily the defence of workers’ rights. He had spoken a message that few other heads of agencies and heads of government shared at the time. In Europe, as well and in many other parts of the world, many more governments now realized the need for the ILO. He agreed with Mr. Thüsing that the Declaration was tangible proof that Mr. Hansenne had led the Organization through some difficult times and had brought it to a place where employers, governments and workers could be united in a very important and historic document. On behalf of the Workers, he thanked Mr. Hansenne for his outstanding contribution to the Organization.
Mr. Khorram (Government, Islamic Republic of Iran), speaking on behalf of the Government group, thanked Mr. Hansenne for his cooperation over the years. Over the previous ten years, the world had undergone major economic and political changes and the ILO had also rapidly sought to adjust itself to new challenges and expectations. In this context, Mr. Hansenne had proved to be a man of vision who had been prepared to take tough decisions. He had taken his responsibilities very seriously, acting always from a sense of purpose and commitment. The ILO had been obliged to cope with financial constraints and even budgetary shocks and, at the same time, to respond to increasing demands of its constituents. It had been able to do so under Mr. Hansenne’s outstanding leadership. Moreover, he had launched new initiatives and ideas on the role of the ILO in general, particularly the standards-related issues that culminated in the adoption of the Declaration in June 1998. Mr. Hansenne had also introduced innovations in the delivery of ILO technical assistance to member States under the Active Partnership Policy. Several internal reforms had also been undertaken. He congratulated Mr. Hansenne on all those achievements and thanked him for his contribution and hard work. In expressing his appreciation to Mr. Hansenne, he also thanked the entire staff and management — in the field and at headquarters — who had assisted Mr. Hansenne and discharged their responsibilities to the Organization so faithfully. Mr. Hansenne could count on the Government group’s support in the remaining few months of his mandate.

The Governing Body gave Mr. Hansenne a standing ovation.

The Director-General thanked speakers for their kind words and the Governing Body as a whole for the confidence they had placed in him over the previous ten years.

He apologized for anything that he might have said or done over the past ten years to distress certain members of the Governing Body. This had never been intentional, but had often been due to his debilitating shyness and a natural impatience he had felt with regard to some subjects which he considered crucial for the Organization.

The work that the Organization had accomplished had been the result of a joint effort, involving the Governing Body and the Office staff, whom he had often subjected to considerable pressure in view of the difficulties facing the Organization. All the parties involved should feel a sense of pride for the successes achieved and should reflect together on the reasons for any failures that might have occurred.

As a parting message to the Governing Body, he expressed three wishes. First, he wished the new Director-General resounding success in a task that was far from easy. He and the Office staff would make every attempt to ensure the smoothest and most effective transition possible, which would be difficult for him because he would have the heavy burden of submitting in March a budget that would be his responsibility. He emphasized the crucial role of the Governing Body in carrying out this task. Over the previous few months and years, there had been considerable misunderstandings between the Governing Body and himself on a number of matters related to the budget. He was not sure that he had fully understood the messages that had been conveyed to him on these issues. However, if the Governing Body wished to have an Organization that was directed, conducted and managed on the basis of precise objectives, with rigorous supervision and implementation of these objectives, it should have confidence in the Director-General and should give him room for manoeuvre as far as managing his staff was concerned. He should be given the autonomy and responsibility of these means as regards the staff’s composition and the Office’s structures. Finally, the Governing Body should avoid as far as possible the often unhealthy connivance between some officials and its members. It was imperative that the Director-General hold full responsibility and that he should be accountable exclusively to the Governing Body.

His second message went to governments. As had been discussed on several occasions that week, it was essential that the Governing Body pursue the ILO’s efforts to achieve universal ratification of the Organization’s fundamental Conventions. The Declaration was a means to achieve this end. It should be realized that the project that they had tried to carry out together through the Declaration was ultimately to accede to a very particular status that would be granted only to a small number of international organizations in the coming years, that of being a participant in the regulation of the globalized economy. This was a difficult and complex task. If they had been able to take steps in this direction together, the ILO’s constituents could feel a sense of pride, as this was
the best means to lead the Organization into the twenty-first century and to ensure that all countries on the planet would accept, ratify and observe a certain number of basic rules. This was crucial for the credibility, and therefore the presence, of the ILO in the coming years.

His final message was addressed to the two non-governmental groups of the Governing Body, and he hoped that they would not be offended by it. The ILO should not practice a timid form of tripartism. The world today was changing rapidly and there were new actors on the international scene and new social movements that were being created. Sometimes he had felt that his initiatives to establish links between the ILO and the world of business, in particular multinationals, and to involve non-governmental organizations in the ILO’s work, had been perceived by the Employers and Workers as an unacceptable challenge to tripartism.

He stressed that this had never been his objective and he continued to believe that there was no reason now or in the future to change the decision-making machinery of the ILO. However, it was imperative to try to associate social movements and the new actors in international economic life with the ILO’s work if the Organization wished to remain true to its vocation: a moral conscience that should guide the world of work within a globalized economy.

The sitting closed at 6.35 p.m.
SIXTH SITTING

Friday, 20 November 1998, morning

At this sitting, which was held in private, the Governing Body took the following decisions.

Fourteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

Fourth Supplementary Report:
Report of the Committee set up to examine the representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the General Confederation of Workers of Peru (CGTP)

The Governing Body adopted the Committee's recommendations and declared closed the procedure initiated.

Fifth Supplementary Report:
Report of the Committee set up to examine the representation made by the Latin American Central of Workers (CLAT) and the Latin American Federation of Trade Workers (FETRALCOS) under article 24 of the ILO Constitution alleging non-observance by Venezuela of the Employment Policy Convention, 1964 (No. 122)

The Governing Body adopted the Committee's recommendations and declared closed the procedure initiated.

Fifteenth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Third report: Representation alleging non-observance by Bosnia and Herzegovina of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Union of Autonomous Trade Unions of Bosnia and Herzegovina

The Governing Body decided that the representation was receivable, and appointed a committee to examine it.
Fourth report: Representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36), the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37) and the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38), made under article 24 of the ILO Constitution, by a number of national trade unions of workers of the Private Sector Pension Funds (AFP)

The Governing Body decided that the representation was receivable, and appointed a committee to examine it.

Fifth report: Representation alleging non-observance by Ethiopia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Termination of Employment Convention, 1982 (No. 158), made under article 24 of the ILO Constitution by the National Confederation of Eritrean Workers (NCEW)

The Governing Body decided that the representation was receivable, and appointed a committee to examine it.

Sixth report: Representation alleging non-observance by Mexico of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the Radical Trade Union of Metal and Associated Workers

The Governing Body decided that the representation was receivable, and appointed a committee to examine it.

The sitting closed at 10.45 a.m.
SEVENTH SITTING

Friday, 20 November 1998, morning

The sitting opened at 10.45 a.m., with Mr. Akao in the Chair.

Fourteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

First Supplementary Report:
ILO activities in response to the financial crisis in East and South-East Asia

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) found the report disappointing. It read like a usual report on ILO activities without giving any indication of the special initiatives taken by the Organization in response to the crisis. He recognized that collaboration with other UN agencies had not always been simple and that there was less coherence than expected.

He proposed that the Office prepare for the March 1999 session a paper that was more focused than the present one and showed the initiatives taken by the ILO to meet the continuing crisis. The reasons for this second request were twofold: the ILO had an important part to play, and the crisis could recur elsewhere. Therefore the ILO should draw lessons from the experience that would enable it to respond to a similar crisis in another continent. The paper to be prepared for March should indicate programmes which hopefully would make an impact on the real problems faced by the millions of workers who had lost their jobs, and who, as a result, now lived in poverty in vast parts of Asia.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) echoed Mr. Brett's view and agreed with his suggestion that a paper be submitted to the March session. In facing the crisis, the ILO gave the impression of being helpless and surprised. The task now was to prepare for the future so as to ensure that next time the Organization would not be equally helpless and surprised.

Mr. Rampak (Worker, Malaysia) considered that an analysis of the causes could also be beneficial for other regions.

The inclusion in the paper of the recommendations adopted at the ILO High-level Tripartite Meeting on Social Responses to the Financial Crisis in East and South-East Asian Countries (Bangkok, 22-24 April 1998) was greatly appreciated. However, there had been little follow-up on the part of the ILO.

The Republic of Korea, Indonesia and Thailand had moved into economic reform programmes with the IMF, with loan commitments of $58 billion, $42 billion and $17 billion respectively. The IMF rescue scheme included the closure of unviable financial institutions, of which there were 56 in Thailand alone, and other loss-making businesses. This had resulted in the loss of more than 30 million jobs in the region. The social impact of the rescue plan affected not only the workers but also their families. In Thailand, real wages were expected to fall by 4 per cent even in 1999, and a possible upturn could not be expected before 2000. Domestic inflation and wage freezes had further compounded the problem. As stated in paragraph 24 of the report, the significant decrease in incomes and the relapse into poverty resulted in an increase in child labour.

The main areas of ILO action to assist the most affected countries — the promotion of the ratification and improved implementation of the ILO fundamental Conventions; promotion of social dialogue; employment creation; and social protection — had enjoyed full support. The ILO should pay particular attention to social protection. Social safety nets had been established in three of the affected countries only. In view of the present crisis, this gave rise to great concern. The need to promote concrete strategies for the strengthening of social safety nets had been clearly stated at the meeting of the economic leaders of the APEC countries in Kuala Lumpur.
The ILO should prepare by March a comprehensive paper on safety nets including also the question of training and employment. Whereas the main concerns were employment, job creation and labour market issues, governments and the social partners should recognize and uphold the spirit of the new ILO Declaration.

He noted with satisfaction that the MDTs had been playing an active role in promoting the ratification and implementation of ILO fundamental Conventions in close cooperation with the ILO constituents. Some improvement could be seen in the rate of ratification of these Conventions, and there was a visible increase in the interaction between constituents in a number of Asian countries, especially Thailand, Indonesia, China, the Republic of Korea, the Philippines and Malaysia. He congratulated the ILO on this valuable effort and hoped that the rate of ratification and the scope of interaction would continue to increase.

It had been noted in paragraph 42 of the Office paper that most of the ILO’s activities in the area of social dialogue in the region revolved around the need to improve institutional capacity. The Workers were in full agreement with that strategy and proposed that detailed studies be undertaken with regard to the specific needs and aspirations of ILO constituents and the methodology to bring the constituents closer to the ILO. The recent ILO studies on minimum wage in Indonesia and the review of the social security systems in Thailand and Malaysia were encouraging steps in this direction.

Women workers still had a weaker position in the labour market, and discrimination against them was quite common. In order to permit them to enter the mainstream of economic activities, they had to be empowered to make use of increased educational and training opportunities. The principles contained in Conventions Nos. 100 and 111 should be promoted.

The economic downturn in eastern Asia had resulted in an increase in child labour. IPEC applied a multiple approach to combating it in Indonesia, the Philippines and Thailand, and promoted the ratification of Convention No. 138. Any strategy to combat child labour would have to involve the families of child workers, who had to be made fully aware of the effect of making young children participate in the labour market.

Mr. Tan (Employer, Philippines) stated that the Employers were not enthusiastic about the paper. At best it had helped publicize the crisis and identify the areas in which the ILO could assist the social partners in coping with its effects. Whereas the immensity of the task before the Organization could be understood, some of the conclusions and priorities outlined in the report were disputable.

It was obvious that the Office had been neither fully prepared to address, nor had it fully grasped the depths of the financial crisis in South-East Asia, and thus could not give a specially crafted response to it. As admitted in paragraph 26 of the report, some of the activities undertaken by the ILO had already been in operation before the crisis. Even though the problems in the region were of major dimensions, economies were experiencing alarming contraction levels and unemployment was rising dangerously, the response of the Office had essentially been a business-as-usual approach. In this context the mere promotion of the ratification and/or improved implementation of the ILO’s fundamental Conventions was clearly inadequate.

Whereas an in-depth analysis of the financial crisis was not within the competence or mandate of the ILO, its superficial understanding of the problem had generated a superficial response. Certain observations and conclusions in the paper had inspired a sense of unreality. Among these were the remarks in paragraph 27 that the financial crisis, together with the political changes occurring in the region, had brought a greater awareness of workers’ rights; the fact that the response of the Organization had been the provision of technical advisory services and the focusing on the promotion of fundamental Conventions (paragraph 28); and that in this situation the ILO had provided advice on the expansion of the unemployment benefits system (paragraph 73). These courses of action were unrealistic because in the context of a severe financial crisis, impoverished employers should not be burdened with unemployment benefit schemes which they had been incapable of adopting in better times.

Furthermore, there was certainly no evidence that the crisis had led to a greater awareness of fundamental Conventions. This had been dramatically illustrated in the case of Philippine Airlines, which had been on the brink of bankruptcy in September 1998. In this case the authorities had had
to inform the trade unions that they could not possibly sustain their members with their collective bargaining agreements when there would be no company to deal with. After a referendum the workers had accepted a proposal to suspend collective bargaining negotiations for ten years, an unprecedented development in the history of the trade union movement in the Philippines. Had they not agreed, the airline would have gone into bankruptcy, thousands of jobs would have been lost, trade unions of that company would have ceased to exist permanently, and trade and commerce throughout the country would have been affected. These adverse consequences had been averted at the expense of restraining for a moment the enthusiasm for the promotion of the ILO’s fundamental Conventions.

The ILO should follow the conclusions in paragraph 104 of the paper, and provide policy advice on practical solutions and operational activities that demonstrated how they could work. The ILO should have reoriented its efforts and resources towards enhanced support for promoting viable enterprises and the maximum utilization of regional expertise. It should have given impetus to employment promotion, in particular emergency employment creation, human resources development and social dialogue to assist social partners to formulate practical solutions to the problem, and to make them realize that at a time of serious financial difficulties only two options were available — survival or mutual annihilation. The ILO should have launched a special comprehensive initiative to address these issues.

Mr. Cho (Employer, Republic of Korea) appreciated the work done by the secretariat in providing the Office paper and praised the efforts of Ms. Horiuchi to render support to ILO constituents in crisis-affected countries.

The four major areas of ILO action listed in the report fell into two categories: helping workers in the economic crisis through social protection and social dialogue; and finding work for the unemployed through the development of enterprises and the creation of jobs. However, the emphasis was clearly on social protection and the protection of existing jobs rather than job creation. Whereas the role of social dialogue had been stressed, the ILO’s contacts in the Republic of Korea were mainly with trade unions. Moreover, the report had not mentioned the successful functioning of the Republic of Korea’s tripartite commission through which a number of substantial issues were addressed with the aim of overcoming the crisis. Some, including other international organizations, believed that the commission might be a good model of social dialogue.

The report also failed to mention the need for labour market flexibility, although it was a crucial element of the reform strategy recommended by the IMF. At the High-level Meeting on Social Responses to the Financial Crisis (Bangkok, April 1998) it had been emphasized that one of the most important tasks for the ILO was to create jobs through enterprise development. As far as the Republic of Korea was concerned, there was no reference to this in the report.

Whereas the promotion of the ratification of fundamental Conventions was an important task, it was insufficient for countries to overcome the crisis. Workers’ rights were irrelevant without jobs. Jobs were created through enterprise development and not through the ratification of Conventions or idealism. It was time to promote cooperation between labour and management instead of confrontation and conflict. The ILO could play a role in encouraging cooperative industrial relations, but in view of the statement in paragraph 104 it seemed that in this respect it was not on the right track.

On the whole, the report seemed somewhat sketchy and failed to indicate any real response to the crisis. It gave the impression that the ILO was passively accepting the crisis without making any real effort to provide the necessary assistance to overcome it.

Mr. Bahadian (Government, Brazil) congratulated the Director-General on the immediate substantive action taken by the ILO in response to the Asian financial crisis. In accordance with its mandate and responsibilities, the plan of action established for the region had set out medium and long-term responses to the underlying problems which had contributed to and aggravated the crisis. This required the revision of some country objectives in a practical and expeditious way, and the effective reorientation of activities targeting more affected groups, such as women and youth.

The priorities outlined for immediate action were well chosen. Special emphasis should be given to employment and job creation on the one hand, and to programmes aimed at making social security more efficient and more accessible on the other. The good response of the ILO to the crisis
should also be extended to other regions, since the economies of all regions were affected by it. The ILO’s World Employment 1997-98 demonstrated the social implications of the crisis worldwide.

At the ceremony to honour Mr. Hansenne, the Director-General had referred to the growing challenge that globalization posed for the work and agenda of the Organization. Prompt action with resource mobilization capacity, tripartite dialogue and awareness-raising were key elements in addressing the issues in this process. The good example given in conjunction with the Asian crisis should be followed in other activities of the Organization. He supported the proposal that in March 1999 a more focused report be presented on the financial and economic crisis and its social impact.

Mr. Li Donglin (Government, China) appreciated the attention given by the ILO to the financial crisis, particularly the High-level Meeting on Social Responses to the Financial Crisis held in Bangkok in April 1998, which had provided an opportunity for constituents to discuss the social responses to the crisis and actions taken by the ILO. The tripartite workshop held in Beijing in October 1997 on Convention No. 138 had no direct connection with the crisis. Preparations for the ratification of this Convention had already been started before it. The Convention had passed through the Government’s ratification procedures, and the proposal for ratification had been submitted to the Chinese National Congress for approval.

Whereas the work done by the ILO concerning the crisis had been useful, it had not been timely enough, and the measures adopted had not been adequate. Hopefully, the ILO would give more targeted assistance to countries affected by the crisis in areas such as labour market policies, improved social security nets, training and retraining programmes and the development of small and medium-sized enterprises. This would lift the ILO profile and would improve its position and influence in the international community.

Mr. Samet (Government, United States) considered that the ILO’s response to the problems identified was not sufficient. The Office was no doubt aware of this. Methods needed to be found to meet the challenge. There should be a better identification of the hierarchy of initiatives, including targeted assistance to countries interested in obtaining it, a clear understanding of what should and could be done immediately and in the short, medium and long term, and a comprehensive strategy should be developed. As indicated by the representative of the Government of China, this had to comprise many of the elements of labour market programmes, the question of social safety nets, employment and enterprise issues and basic labour standards. The latter had an important economic aspect, which had not yet been fully developed. However, it was essential to ensure that besides the human rights concern, the Organization would put forward the economic implications of standards.

Whereas there was great interest in ideas on these issues, there was very little to be offered. However, there had been a ray of light on this subject in the discussions on the impact of globalization in the Working Party on the Social Dimensions of the Liberalization of International Trade.

As already pointed out by other speakers, in paragraph 104 the Office had offered a diagnosis of the problem without addressing its magnitude and without developing a clear strategy. The Office should therefore be requested to prepare not only a better paper, but one that would address the problems mentioned at the present and in earlier sessions. It was also important that sufficient time be set aside for the discussion in March. That might be a full day or even two. During this time, the Governing Body should learn from those in the Organization who prepared the strategies, what they were doing, where they were doing it, what was working, what was not working, what assistance they needed to be successful, and what they expected from the Governing Body.

Cooperation between the Governing Body and the Office might bring useful results in trying to make the Organization respond. That could enable the ILO to engage other organizations such as the IMF, the World Bank and related financial institutions in a collaborative exercise with a view to making an impact on those institutions and to achieving the ILO’s objectives. At present, there was great openness on the part of all concerned to cooperate, and the Organization had to be fully prepared to do that. This was not yet the case, and determination would be needed to get to that point. This was the most important issue the Organization had before it, yet the ILO was not governed accordingly. The international community considered the ILO relevant to the matter, and there was no other organization that could be substituted for it. Therefore the role, mandate and expertise of the Organization had to be presented as effectively as possible. Tremendous work could
be done on these issues in the field, but the paper did not make that clear. Hopefully a more useful approach could be developed by March.

Mr. Jonzon (Government, Sweden) concurred with the previous speaker. Several speakers had insisted on the importance of preparing a sound analysis in order to know what problems to address. Such an analysis had to examine the roots of the problems and identify the necessary focus. An excellent article on this issue had been written by the chief economist of the World Bank, and the ILO’s Mr. Eddy Lee had also produced an outstanding analysis. All Governing Body members should buy it and read it on their way home.

Mr. Blondel (Worker, France) was surprised that it had not been recalled that the societies in crisis were those which had earlier been cited as models for achieving important results. A complete description of the problem should have included a reminder of this fact. Secondly, the present situation was referred to as a crisis because it had not been foreseen. However, this was exactly the problem. It was insufficient to affirm that the crisis had revealed the pertinence of the activities of the ILO. It should also be recalled that the pertinent activities of the Organization, especially those relating to standards and trade unions, had not been respected in the countries in question. This was particularly true for the recommendations concerning social protection. If pension systems and unemployment benefits were to reduce the impact of the crisis, they should have been established previously. Yet, this had not been part of the economic policies of those countries.

Thirdly, the ILO should ensure that the activities of the IMF and the World Bank took full account of the priorities of the Organization, including guarantees concerning social protection and trade union rights. The Office paper stated that, in the countries in crisis, there was a need for strong, independent and competent trade unions that could defend workers’ interests. It was due to the national authorities, and not to the trade unions, that such workers’ organizations did not exist. The recommendations of the Office were accurate, and should be put forward in the discussions with the Bretton Woods institutions. These recommendations could also be shared with the workers in the countries in question, who would certainly approve them.

Ms. Iwata (Government, Japan) appreciated the clear report by the Office and the activities undertaken in response to the crisis. The swiftly organized high-level tripartite meeting and its follow-up measures had been greatly appreciated.

At that meeting in Bangkok, it had been stressed that workers’ fundamental rights should never be neglected for reasons of economic recovery. Rather, because of the financial crisis, they should be granted the right to participate in policy-making. Social dialogue was also very important in this situation. Japan itself faced difficult financial conditions and was grateful to the ILO for its activities. With the expertise of the ILO, Japan hoped to be able to provide support to other countries concerned.

Mr. Gana (Government, Mauritius) noted with keen interest the activities undertaken by the ILO in response to the financial crisis. He expressed concern that countries that had been known for their continuing economic growth, could suddenly become subject to serious economic turmoil with untold social implications. In the short term recovery seemed uncertain, and the crisis seemed to be affecting and spreading to other regions as well. This posed a threat to the world economic order and might lead to serious breaches of fundamental rights, in particular of the working population.

If such performing economies could find themselves in extremely serious difficulties, the situation of small island economies, which were vulnerable to natural disasters and external factors resulting from the unstable world economic environment, might be even more difficult. ILO action concerning employment promotion policies and social protection, as outlined in pages 12-16 of the paper, should be supported. Furthermore, in its interaction with other international organizations, the ILO should ensure that the crisis was addressed in accordance with the ILO’s principles and objectives.

Mr. Cho (Government, Republic of Korea) considered that the ILO’s initiatives on the social consequences of the crisis indicated the Organization’s growing concern for these new challenges. He asked the Office to prepare a more comprehensive and detailed paper for the March session.

Ms. Niven (Government, United Kingdom) concurred with the statements made by the representatives of the Governments of the United States and Sweden. As already explained in the
Committee on Employment and Social Policy, following the financial crisis, international financial institutions should be reshaped, and should develop general principles of good practice for social policy. The World Bank’s timetable for drawing up such principles was quite short. As it intended to begin with country studies, it would be important for the ILO to engage with the World Bank in this process. If the ILO was unable to influence the World Bank and to say what should be included in these general principles, it risked becoming completely irrelevant. Therefore the ILO should urgently engage in this process.

Mr. Patel (Worker, South Africa) had the feeling that some of the speakers, such as the representative of the Government of the Republic of Korea and Mr. Tan, had not understood the situation. Their statement that the crisis required less rather than more social protection was insensitive to the plight of 15 million workers who had been left without work and without a social safety net. In fact, some of the causes of the crisis could have been neutralized had there previously been greater attention to the social aspects of economic development.

An editorial from the Financial Times of 7 November 1998 illustrated the point, stating that the financial crisis was the natural consequence of a cycle marked by global over-investment and excess supply which had left the world economy vulnerable to deflation for the first time since the 1930s. This over-investment had been the product of policies which had denied an effective system of collective bargaining. This in turn had led to a situation in which more than the necessary part of the economic output had gone to investors rather than workers, thereby increasing the pool of savings rather than wealth distribution in the form of wages: wages were a vital element of consumption and of stimulating and sustaining domestic demand. Low demand, together with an increasing supply of savings, had been a major element of the crisis. When the excess capital found fewer and fewer productive outlets, it had turned to speculation. When the bubble burst, it had been the people of Indonesia, the Republic of Korea and other countries who had paid the price. This indicated that more extensive social policies and greater ratification of ILO core Conventions were needed, not less.

The ILO should promote social safety nets, effective collective bargaining and social dialogue not only in Asia, but also in Africa, Latin America and Central Europe, before another crisis manifested itself. Furthermore, it should study the impact on workers of completely unregulated financial markets, and consider prudent mechanisms to ensure that economies were not undermined by speculative attacks and volatile movements of capital.

He endorsed the comments made by the representative of the Government of Sweden concerning the book by Mr. Eddy Lee. The issues and measures identified in it should be taken up by the ILO.

Mr. Bahadian (Government, Brazil) concurred with the view expressed by the representatives of the Governments of the United States, Sweden and the United Kingdom that in March as much time as possible should be devoted to this issue. In addition to a plenary discussion, the possibility should be envisaged of holding a tripartite symposium with the participation of the IMF and the World Bank, as a document alone might not be sufficient to take into account the problems faced by the world as a whole.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) believed that the ILO should have advised the IMF and the World Bank firmly that dramatically diminishing consumption and investment expenditure, which they were promoting through their stabilization policies, were in fact enhancing the crisis. Unfortunately the ILO had failed to do so, and had not been able to make them take the social dimension into account at a time when those decisions had been made.

He took strong exception to the statements by the Employer representatives, Mr. Tan and Mr. Cho. The solution was not less social protection, but more. An in-depth analysis of the question was therefore welcome, as proposed by a number of Government representatives. The representative of the Government of the United Kingdom had an important point in proposing that, perhaps belatedly, but for the first time, a real attempt be made to build a social policy dimension into the policies of the IMF and the World Bank. To reach that end, the ILO must be part of the debate within those institutions.

The Office should provide each member of the Governing Body with a copy of Mr. Lee’s book, and should make it part of the discussion in the March session. It was extremely unfair that
workers should have to pay the price of starvation for the policy decisions of governments and multinational and local enterprises which had led to the crisis. It was clear that the crisis had not been created by the workers of Indonesia, Thailand or any other country. Therefore the proposal to reduce their pitifully low level of social security was unacceptable, particularly at a time when the IMF and the World Bank had at last accepted that money had to be put to that task. Indeed, the ILO should also devote attention to other parts of the world, because it could not be said with certainty that the crisis would not manifest itself again elsewhere.

Mr. Samet (Government, United States) supported the proposal by the representative of the Government of Brazil. The Governing Body should consider in March the possibility of including a discussion of the financial crisis in discussions at the Conference. At the March session of the Governing Body, much more than half a day should be set aside for this issue. He endorsed Mr. Brett’s proposal to give every member of the Governing Body a copy of Mr. Lee’s book.

The Director-General expressed satisfaction at the debate on this subject, which, in his view, was of great importance. To the critics of the Office paper he replied that it was the Office that had wished to enumerate the tasks undertaken in this respect. During the last few months, the Office had formulated a series of in-depth analyses of the crisis in Asia, the responsibilities it implied and the role that could be played by the Organization. This process had started at the meeting in Bangkok, and had been followed at the meeting of the G8 in London, where an important statement had been made, and where the ILO had engaged in a dialogue with the Bretton Woods institutions and other UN agencies. Moreover, several documents had been published. These, together with the forthcoming publication of Mr. Lee’s book at the beginning of December, indicated that the ILO had not remained inactive as regards in-depth analysis of the financial crisis.

It was essential to consider the possibilities for ILO action when confronted with such an unexpected and violent crisis with extremely important social consequences. Three questions had to be raised in this respect.

The first related to the nature of the ILO’s activities. The Employers considered that the Office should devote itself more fundamentally to the problem of employment creation. Whereas the ILO was permanently confronted with the question of the assistance that should be provided to member States, the creation of some small and medium-sized enterprises was somewhat derisory in view of the magnitude of the crisis.

Knowing the origins of the crisis and the factors which had aggravated it, it was shocking to hear claims that the promotion of workers’ fundamental rights seemed inappropriate. The ILO’s first and most useful role had been to promote social dialogue in order to resolve a number of conflicts and sources of tension and violence that had stood in the way of any restructuring or reconstruction. It was reassuring to see recognition of the importance of dialogue with the IMF, which had for the first time consulted the Office on these points, thereby indicating that it considered the ILO pertinent in relation to the crisis. The discussion on the types of activities to be undertaken by an organization like the ILO should be continued, possibly through an examination of Mr. Lee’s book and of other literature.

The second problem related to the speed of the response. The ILO had not been created specifically to respond to emergencies. Neither the Office, the Governing Body nor the Conference were designed for that, and the fact that agenda items for the Conference had to be chosen two years in advance was a clear indication of its more long-term outlook. However, the ILO would be increasingly required to deal with emergencies. As the Office was not prepared to do that, it had to find ways to engage in quick and efficient cooperative activities. Tribute had to be paid to Mr. Taqi and Ms. Horiuchi and their collaborators for the speed with which the Office had succeeded in mobilizing itself. Although the Office’s response might be thought insufficient, a few years previously it could not have done what it had. Organizational structures would have to be adapted to the situation.

The third problem related to the scope of the response. In view of the magnitude of the crisis, the activities of the ILO may seem derisory. Therefore its action should be better targeted. This implied that the Office should abandon a number of tasks that it had inherited from the past which, in view of the crisis, had lost somewhat their importance. Thus, the paper to be prepared for March should not separate analysis of the crisis from the means to respond to it, in particular in terms of
the budgetary orientations for the 2000-01 biennium. Without this, the discussion on the crisis would remain a theoretical one, and the Organization would not have the ability to respond to it effectively.

Responding to Mr. Samet, he too wondered about the desirable duration of a discussion on the subject; attention might be given to the agenda of the Governing Body’s committees in view of the nature of the tasks to be accomplished. The Governing Body should also review its working methods with a view to facilitating its work and ensuring that subjects of major importance received more attention.

The Office had taken note of all remarks and would prepare the requested report. The paper would avoid mere speculation on the nature of the crisis, and should present an opportunity for the Governing Body to design the orientations for the activities of the Office and the Organization for the years to come.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) found the discussion highly interesting, but it was not appropriate to use the response to the crisis as a basis for restructuring the Organization or the Governing Body. Nor was the question timely, as Mr. Hansenne would not be present after March and it would be wrong to restructure the Office on the eve of the new Director-General’s arrival. However, in view of the excellent cooperation between the two Directors-General, it would be useful if they could cooperate in discussing the paper and propose responses in the form of programmes of action. Changes in the machinery delivering those programmes could be made at a later date.

One of Mr. Hansenne’s successful innovations had been the introduction of high-level ministerial meetings at the Conference on issues of significance, such as child labour. The social impact of the crisis, which might recur in other parts of the world, was an ideal candidate for such a meeting. The involvement of ministers as well as the IMF and the World Bank could have a major impact, especially as the latter had made some steps towards taking the social dimension into account when developing policies and models of good practice. It would be a very appropriate time to invite these institutions. A discussion of the structure of the new financial institutions could also be an appropriate part of the meeting.

The Chairperson considered that the Governing Body’s schedule in March would make the inclusion of an additional day of discussions quite difficult, and that consequently an informal meeting on the subject should be envisaged.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) replied that the Governing Body should not allow itself to be trapped in its own structures, which had been modified in 1995 to respond to considerations of efficiency and budgetary limitations. It was possible to add one or two days in order to hold the symposium at the beginning, in the middle or at the end of the session. As the members of the Governing Body would already be present, additional expenses would concern subsistence allowances only. The plans prepared by the Office for the March session should not deter the Governing Body from adding a day or two if it so wished.

Mr. Bahadian (Government, Brazil) proposed that the Governing Body decide to hold a two-day meeting on the crisis in March, as suggested by the representative of the United States Government, and there seemed to be a consensus on that point. An early decision on that question would permit the members of the Governing Body to prepare for that meeting. The first part of the two-day meeting could be devoted to a round table, which could then be followed by a discussion. In view of the importance of the subject, minor issues could be deleted from the agenda of the Governing Body if need be.

Mr. Samet (Government, United States) concurred with the representative of the Government of Brazil and Mr. Brett.

Ms. Niven (Government, United Kingdom) proposed that, as the subject fell within the terms of reference of the Committee on Employment and Social Policy, the time foreseen for that Committee should be devoted to this issue.

The Chairperson asked whether the discussion should take place at the level of the Governing Body or within the framework of an expert meeting. This would have implications for its timing.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson), considering the degree of interest shown by all governments, and in view of the lessons to be learned from the Asian crisis,
suggested that the debate take place at the level of the Governing Body. As in the case of the Working Party on the Social Dimensions of the Liberalization of International Trade, the discussion could be held in a committee of the whole. The proposal by the representative of the United Kingdom Government could be accommodated in this way. In a two-day meeting experts could be invited, and the discussion could take place in the Governing Body with ministers present. Late departures from Geneva on Friday, or even working on the last Saturday, should present no problem.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) supported the idea of a two-day meeting but not within the existing time-frame. He proposed an extension of the time available.

The Director-General thought that it was extremely difficult to devote two days of a Governing Body session to the discussion of the budget for 2000-01 and also cover the Asian crisis adequately. There were two possibilities: first, the work of the committees could be reorganized in order to liberate the Friday prior to the beginning of the Governing Body proper. This day could then be devoted to the desired discussion, which, if necessary, could continue the following day. The second possibility would be to modify the agenda of the Working Party on the Social Dimensions of the Liberalization of International Trade: the Monday, and if necessary, the Tuesday morning prior to the commencement of the Governing Body, could accommodate the discussion.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) concurred with the Chairperson, who proposed that the first option be adopted. If the Governing Body decided to have a high-level ministerial meeting at the Conference, the discussion in the Governing Body could be considered as the work of a preparatory committee. In view of their tight schedule, it was rather unlikely that ministers would be able to attend the discussion on Friday and Saturday prior to the plenary Governing Body. However, high-level civil servants could attend, and thus the meeting could be a forerunner for a high-level meeting in the Conference.

The Governing Body took note of the report.

Second Supplementary Report:
Incomplete delegations at tripartite meetings

The Governing Body took note of the report.

Seventh item on the agenda
REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE
First report: Financial and general questions

The Governing Body adopted the recommendations in paragraphs 10, 30 and 82 of the report.

The representative of the Director-General (Mr. Ahmad) provided an update on the information in paragraph 2 of the report by announcing that the Office had received a payment of 83.2 million Swiss francs from the United States, which was approximately equivalent to its contribution for 1998.

Mr. Blondel (Worker, France), speaking as the spokesperson of the Worker members of the Committee, disagreed in the present instance with the practice of adopting the points for decision without the possibility to intervene. He drew attention to a number of questions, including that of regional meetings, where the question had had to be postponed for lack of a consensus. There were several points of that nature which necessitated a short intervention. It might be useful to make the Governing Body vote. That could be simpler and more efficient.

The Clerk of the Governing Body explained that, in order to speed up the work, the Governing Body had decided in 1993 to discuss matters in the committees and to avoid repetitions. This was particularly relevant to the work of the Programme, Financial and Administrative Committee, the
composition of which was practically the same as that of the Governing Body. However, if there was a fundamental, substantial change in certain positions, it was possible to return to some points.

Mr. Blondel (Worker, France) did not wish to reopen the debate, only comment on certain points. The previous day, when the Committee's report had been adopted, he had remarked that in addition to the initial document, there had been another which included a series of interventions by delegates. Whereas the document had been distributed, it was difficult to work on two papers which did not follow the same pattern.

He congratulated the Turin Centre and the Building Subcommittee on their work. As regards multilateral donors, the Workers' group insisted that the ILO and the European Union practise closer collaboration. Government representatives belonging to countries of the European Union should approach and, if necessary, put pressure on the European Union, as the means that could be obtained from it were not to be neglected.

Second report: Personnel questions

The Clerk of the Governing Body drew attention to the fact that it had not been possible to include one point for decision in the report. He proposed to adopt this point for decision, which had just been adopted by the Committee.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) referred to the question of unfilled vacancies, which had been raised in four committees. The mobility problem was only a symptom which indicated that at the eve of the twenty-first century the Organization had no modern approach to career development or counselling. This was not a question of the staff, which was doing its utmost to run the present system. The ILO needed to hire someone with the expertise of a multinational company or a foreign service department of a government, either on secondment or on contract, to design a computer-based system with indications of avenues of promotion. If career paths were identified through interviews with staff, there would be no resistance to moving to the field some years later.

The Office should prepare a paper on this issue, as this was a recurrent problem. With its 1,500 employees the ILO was comparable to a medium-sized company operating worldwide. However, that did not make it unique. There were hundreds of organizations of a similar size operating worldwide in the private and public sectors. As this problem had been left unresolved for so long, the Office should invest in a project that might last two years, with a view to installing the right policy and the right machinery.

Mr. Thüssing (Employer, Germany; Employer Vice-Chairperson) was not keen to repeat what he had already said in the Committee. However, in view of the Workers' insistence, this was inevitable. This was a rather senseless form of behaviour, which was not in conformity with the order of business. The requests addressed to the Office concerning the preparation of papers could have been made earlier. It was important to adhere to agreed procedures.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) wondered why an issue that had been addressed in four different committees could not be considered in the Governing Body. As the Programme, Financial and Administrative Committee had the responsibility for the budget, it was logical to raise the point here. He reminded the Employers that they had supported the point for several years.

The Governing Body adopted the recommendations in paragraph 24 of the report and in the corrigendum.

Third report: Preparation of the Programme and Budget proposals for 2000-01

Mr. Blondel (Worker, France) expressed satisfaction at the good relations between Mr. Hansenne and his successor, and the consensus reached in the Committee concerning a supple budget. The term "flexible" was avoided on purpose, as that had a totally different connotation. He expected to receive in March proposals which included the observations made by the Workers' group.
The Governing Body took note of the report.

Eighth item on the agenda

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

First report: Legal issues

The Clerk of the Governing Body announced that corrigenda to the summaries of their own speeches had been received from the representatives of the Governments of Japan and India, and others were forthcoming from the Governments of Finland, the Islamic Republic of Iran and Mexico.

The Governing Body adopted the recommendation in paragraph 58 of the report.

Second report: International labour standards and human rights

The Governing Body adopted the recommendations in paragraphs 7 and 34 of the report.

Draft resolution submitted by the Arab regular members of the Governing Body in accordance with article 15 of the Standing Orders of the Governing Body, relating to the Second report of the Committee on Legal Issues and International Labour Standards

Mr. Samet (Government, United States) considered that a special sitting was unnecessary, contrary to the interests of both Palestinians and Israelis, and harmful to the ILO as an institution. His Government's view on this question had remained unchanged since 1995, the year when the anachronistic practice had ended. He reserved the right to speak on the substance of the proposal in March 1999. The reference to a special sitting entailed the same conditions and modalities outlined recently in document GB.271/7, which concerned such sittings of the International Labour Conference in 1998 and previous years.

The present decision should in no way be interpreted to mean that the Government of the United States would support a special sitting in the discussions in March. The debates that had invariably characterized the special sittings stood in direct contradiction to the spirit of the Wye River Memorandum, which the parties were implementing. The progress made should be recognized and the peace process should be supported. The request for a special sitting did not take this progress into account, did not advance the interests of the Organization, and did not improve the lives of Palestinian workers, an objective to which the Governing Body was committed.

The Governing Body adopted the resolution.

Ninth item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

The Clerk of the Governing Body announced that an amendment to the report had been received from the Government representative of Argentina.

The Governing Body took note of the report.
Tenth item on the agenda

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

The Governing Body adopted the recommendations in paragraphs 25, 28, 32, 37, 40, 43, 47, 49, 51, 53, 58, 62 and 64 of the report.

Eleventh item on the agenda

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION

The Clerk of the Governing Body stated that corrections to the report had been received. Moreover, immediately preceding paragraph 124 a new point for decision should be inserted, and paragraph 124 should become paragraph 125. This new point for decision had been proposed by Mr. Hoff, and had been approved by all three groups in the Committee. It read as follows:

The Governing Body took note that the Committee had requested its Officers, together with the Deputy Director-General, to develop proposals for the 274th Session (March 1999) of the Governing Body concerning follow-up on the report, the establishment of an evaluation methodology for the APP, and a system for ongoing monitoring of the APP by the Governing Body.

This new paragraph was now submitted to the Governing Body for approval.

Mr. Ducreux (Government, Panama) announced that he would submit corrections to paragraph 27 of the report.

The Governing Body adopted the recommendation in paragraph 124 of the report, as announced by the Clerk of the Governing Body.

Twelfth item on the agenda

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSIONS OF THE LIBERALIZATION OF INTERNATIONAL TRADE

Mr. Lyne (Government, United Kingdom), speaking as the Chairperson of the Working Party, stated that two agenda items had been examined. First, the overview of global developments and Office activities concerning codes of conduct, social labelling and other private sector initiatives relevant to labour issues; and secondly, the Office’s progress report on the country studies on the social impact of globalization.

On behalf of the Working Party he expressed deep regret at the death of Yvon Chotard and conveyed sympathy to the family of Mr. Chotard and the Government of France.

In a measured and constructive discussion on the subject of codes of conduct, social labelling and other private sector initiatives, the wide spectrum of their use was discussed. Speakers had commended the Office on the quality of the paper. The issues in question were the subject of growing public discussion, and their relevance to the objectives of the ILO was increasingly recognized. Several speakers had expressed a desire to see more consistency and coherence in the development and implementation of these initiatives and in the principles that they addressed. They also pointed to the need to consider the significance of national and regional particularities and different cultural and economic backgrounds. Some speakers had expressed concern about the negative effects of social labelling and the ILO’s involvement in promoting such programmes. They also feared that these voluntary activities might become an imposed system. The Employers in particular believed that participation in such activities should remain freely chosen and that the rectitude of enterprises should not be judged on the basis of such participation.

Various views had been expressed on the relationship between the 1998 Declaration on Fundamental Principles and Rights at Work and any ILO position on codes, including the view that while complementary, these two subjects should be treated separately.
The conclusions of the discussion included a consensus that the Office should continue to pursue its responsibilities regarding the collection of information and analysis on the subject of private initiatives, as well as the appropriate dissemination of information. All activities undertaken by the Office should reflect the voluntary nature of the phenomena. Whereas progress had been made and some convergence of views had emerged, there had been no consensus on how far the Office should go in offering advice or in actively promoting more consistency in the principles underlying these initiatives or in facilitating their implementation. A large number of delegates had taken the view that more extensive and proactive involvement should be pursued in order to fulfil the ILO’s mandate in this area, while other speakers had expressed strong exception to such a course. The Employers questioned whether the ILO had a mandate to engage directly in issues with enterprises, or to associate itself with NGO activities in this field.

The Working Party had agreed that work on the subjects covered by the first item should continue with a view to further discussion in March 1999. It requested the Office to prepare a short and focused document, without prejudice to any decisions which might ultimately be taken. The Office had been asked to take into account the views expressed in the discussion, and to further elaborate on the questions raised in the paper and the various courses the ILO might adopt. The paper should expand in the direction of the options proposed in the final paragraph of document GB.273/WP/SDL/1, while simultaneously exploring the issues and lacunae identified in paragraph 9 and their possible relevance to a range of activities. The Office had been asked to indicate the resource implications of possible activities and to consider appropriate arrangements for their coordination. The paper should take into account ways in which the Office could examine the impact of codes and other initiatives on enterprises in developing countries and on their comparative advantage in the globalized market place. Furthermore, it should address the way in which technical assistance could help enterprises, especially small and medium-sized ones and those in developing countries, with regard to these issues.

The Working Party had also examined a progress report giving an interim account of the ILO’s work on country studies on the social impact of globalization, which would be completed in March 1999. In the discussion a number of points had been made for the guidance of the Office as it completed the exercise.

The Employers had expressed particular concern over the adverse effects of globalization and the need to take steps to correct such trends and reduce the divide between developing and developed countries. The report had noted the continuing commitment of governments to the liberalization of trade and foreign direct investment, and had expressed the view that social problems were more often attributable to domestic causes than globalization. Some delegates had argued that there was little evidence of gains from globalization, while the negative consequences of the process were manifest and had been illustrated by the Asian financial crisis. Social institutions and policies could be a key factor in maximizing the gains from globalization, while minimizing social costs. These policies and institutions included core labour standards, education and training, a well-functioning social safety net, and labour legislation which balanced labour market flexibility with the protection of workers’ rights. The Working Party had been encouraged to identify policies that had proved useful in addressing globalization.

A number of specific comments and points of criticism had been expressed on the country studies that had already been prepared. It had been recalled that specific issues should be taken up in the tripartite meetings held to discuss the reports in the countries in question.

Some delegates had suggested that the result of this exercise should be shared with other international organizations, possibly through a joint seminar with the World Bank. The advantages and disadvantages of debating reports at subregional level should also be examined. The possibility of commissioning other country studies had been raised, but it had been decided to examine this possibility only on completion of the first round of reports.

The Office had taken note of the substantive comments and would reflect them in the synthesis report to be presented to the Working Party in March 1999, together with a set of six or seven country studies. The Office had also taken note of the country-specific comments. Further work, including the practical modalities for the proposed joint seminar with the World Bank, could be discussed in March.
Several delegations had wished to see a wider discussion of the social impact of globalization within the framework of the ILO.

The future of the Working Party had not been discussed at the meeting, but it would have to be considered in the course of 1999 by the incoming Governing Body, as the Working Party's existing programme of work might be largely completed at the March 1999 meeting.

He expressed gratitude to the Working Party for the constructive and businesslike atmosphere, and paid tribute to the sterling work conducted by his predecessor in the Chair, Ms. Matilda Hartwell. He thanked Mr. Brett and Mr. Tabani, the two Vice-Chairpersons, for their guidance and advice.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) appreciated the quality of the oral report and concurred with it entirely. The quality of Ambassador Lyne's chairing had matched that of Ms. Hartwell, which was a compliment indeed.

The Governing Body took note of the report.

Thirteenth item on the agenda

INTERNATIONAL INSTITUTE FOR LABOUR STUDIES

Mr. Anand (Employer, India) fully supported the report, except paragraphs 50 and 51, which needed to be amended to be more constructive. Whereas in paragraph 50 there was mention of the restoration of the independent academic members of the Board, according to paragraph 51 the Chairperson was simply proposing to examine ways of restoring the academic composition of the Board. In view of the unanimous agreement of the Board, the word “examine” should be replaced by “devise” in this paragraph.

As the recommendation in paragraph 53 had already been approved when considering the acceptance of gifts as part of the report of the Programme, Financial and Administrative Committee, the Governing Body took note of the report.

Sixteenth item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

The Clerk of the Governing Body announced that nominations had been received from the groups for the following meetings: Worker nominations for the Meeting of Experts on Ambient Factors at the Workplace; Worker and Employer nominations for the Tripartite Meeting on Voluntary Initiatives Affecting Training and Education on Safety, Health and Environment; Employer and Worker nominations to the Tripartite Meeting on the Privatization and Restructuring of Public Utilities; and Employer nominations for the Tripartite Meeting on Social and Labour Issues in Small-scale Mines.

As regards the appointment of Governing Body representatives on various bodies, he announced that with reference to paragraph 23, the Government group had submitted the nomination of Mr. Simanjuntak of Indonesia; with reference to paragraph 24, the Employers group had nominated Mr. Piérides from Cyprus; and with reference to paragraph 25, the Workers' group had submitted the nomination of Mr. Sibanda of Zimbabwe.

The Governing Body adopted the recommendations in paragraphs 2, 5, 8, 10, 12, 14, 18, 20 and 22 of the report, and approved the nominations announced by the Clerk of the Governing Body.
Fifteenth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Seventh report: Child-care facilities in the ILO

The Chairperson recalled that in view of the strong and divergent feelings on this item in the two groups, it was proposed to have a brief discussion on the subject without taking a decision. The item would be placed on the agenda of the Programme, Financial and Administrative Committee in March 1999.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) pointed out that child-care facilities in the ILO were not only a concern of the Staff Union, but would be advantageous also for the work of the Governing Body, the meetings held under the Sectoral activities programme and the Conference. The Workers' group was concerned about the absence of any child-care facilities for people attending meetings at a time when the Governing Body often talked about gender equality, family-friendly policies and more and better jobs for women. In earlier discussions the Governing Body had considered the provision of child-care facilities for delegates not cost-effective. The present proposal combined this concern with that of the staff, who would also benefit from it.

He looked forward to a fuller debate on the question in March 1999, he trusted that, if the proposal was adopted, implementation would not be further delayed, and a budget element would be applied to it at the earliest practical time.

Mr. Thüsing (Employer, Germany; Employer Vice-Chairperson) thought that child-care facilities could be beneficial in an enterprise if there was reliable demand for it and if it could be financed. The figures hence needed closer scrutiny.

It was not clear why a crèche of 55 places had been proposed when there were more than 200 potential child users. He wondered whether these numbers were based on past experience or on an inquiry. It should also be taken into account that when a survey was conducted, people easily said that they would bring their child, but when they were asked to pay 1,300 Swiss francs, they would have second thoughts. It was important to know whether the capacity would be fully used, otherwise the annual subsidy might easily rise to 500,000 Swiss francs. It seemed that the project was not yet clearly developed. According to some, 1,300 Swiss francs was far too high, while others affirmed that this amount was average for the location. Reliable figures were essential for further discussion.

It should not be forgotten that there were also male delegates and staff members who might wish to make use of the facility. This information should also be part of the reliable basis that was requested. Past experience with the Crèche des Nations had indicated that the contractual and financial bases had been dealt with in a dilettantish manner. The ILO should not become involved in a similar venture. If the Office considered that it was possible to finance a child-care facility, it would be necessary to see where in the budget savings could be made.

Mr. Poisson (Government, Canada) recalled that his Government had long supported the establishment of child-care facilities at the ILO. Whereas it was mainly the children of ILO staff who would use it, the crèche would also be beneficial to children of delegates. Such provision was part of a ten-point action programme endorsed by the Governing Body to increase the participation of women in the work of the ILO. The proposed objective for the year 2000 was 40 per cent of all participant-days, but the result for 1998 had been 31 per cent only.

In Canada, a good number of large employers both in the public and private sectors were recognizing the value of quality, affordable child-care facilities which were easily accessible to employees and quite often located on the employer's premises. The initiative was a measure which would give a signal that the ILO cared about the well-being of its own workforce and the needs of persons with family responsibilities. As women generally took the primary responsibility for child care, this provision would facilitate their greater participation in the workforce. Adequate financial contribution from the users of the facility would be a condition for the support of the Government of Canada. However, it should be ensured that no group of workers was excluded. He proposed that the item be discussed in March 1999.

Ms. Musulin (Croatia) associated herself with the Workers' group and the representative of the Government of Canada in supporting the proposal. The ILO should set an example on a range
of issues, and this was one of them. She invited Government representatives to support the proposal, particularly in view of the fact that the financial implications were not excessive.

Ms. Niven (Government, United Kingdom) thought that the ILO should apply to itself what it proposed to the rest of the world. The Office should submit a costed proposal to the Programme, Financial and Administrative Committee in March 1999 in the context of the Programme and Budget for the 2000-01 biennium. Whereas the benefits to ILO staff seemed evident, a real needs analysis should be undertaken with regard to visiting delegates, preferably by March. A child-care facility would hopefully increase the shamefully low level of female participation in ILO meetings. Furthermore, the proposed facility should be self-financing to the extent possible. ILO subsidies should be aimed at lower paid staff and not to highly paid officials in the upper echelons of the Organization.

Ms. Iwata (Government, Japan) supported the creation of a child-care facility on condition that the budgetary aspects of the question be further studied. It could help harmonize the dual responsibilities at work and at home and enable people to better use their professional ability in the service of the Organization.

Mr. Jonzon (Government, Sweden) took it for granted that this discussion concerned not only the ILO, but all United Nations organizations, and that the question would be examined in the context of the post adjustment in Geneva, child allowances, dependency allowances and school allowances. The Government of Sweden would support the discussion if it took place in New York, but not if it took place in isolation at the ILO.

Mr. Spring (Government, United States) supported the statement by the representative of the United Kingdom Government, particularly with regard to the self-financing nature of the project. The paper in March should indicate the cost-effectiveness of the initiative.

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson) believed that the Office paper would not have been passed to the Officers by the Director-General, had the request not been found reasonable by the Finance Department. He was ready to accept the proposals concerning a survey on established needs, except in respect of delegates to the Conference. The latter could raise expectations which could not be met due to the 90 per cent occupancy of the facility by children of staff. All statements by Government representatives were encouraging, except that of Mr. Jonzon, who had proposed a bureaucratic solution which would put off any decision on this issue for a considerable time to come.

The Governing Body took note of the report.

OTHER QUESTIONS

Mr. Brett (Worker, United Kingdom; Worker Vice-Chairperson), referring to the plans for the March 1999 session of the Governing Body, pointed out that in the tentative plan circulated, both the Committee on Employment and Social Policy and the Committee on Technical Cooperation were to meet on 16 March. This would cause a problem to those who had to attend both meetings, such as himself. He proposed that this should be changed.

Secondly, the level of smoke in the delegates bar reaching the non-smoking area and the bar, where food was served, had reached a point that was distinctly unhealthy. He asked the Office to examine two alternatives. One would be to request people to smoke outside the building, as was the case in most countries. If that was not possible, then there should be a strict segregation, in that smokers should be asked to go to the other side of the building, leaving the non-smokers free to eat and drink away from the smoke. A solution had to be found, because this time it had been distinctly unpleasant and unhealthy.

The Clerk of the Governing Body announced that the programme of meetings for the March session of the Governing Body would be reviewed, and invited everybody to check the ILO website on the Internet for details. The Office would look into the problem of overlapping committees, but it was difficult to totally eliminate it.

The Chairperson assured the Governing Body that flexibility would be exercised when revising the order of business. On behalf of the members of the Governing Body he thanked the Director-
General for the work he had accomplished over the years, and expressed the hope that personal contacts with him would be maintained through his participation in international conferences.

*The session was declared closed at 1.50 p.m.*
I. MEMBRES TITULAIRES ET LEURS SUPPLEANTS
I. REGULAR MEMBERS AND THEIR SUBSTITUTES
I. MIEMBROS TITULARES Y SUS SUPLENTES

MEMBRES GOUVERNEMENTAUX / GOVERNMENT MEMBERS / MIEMBROS GUBERNAMENTALES

Allemagne Germany Alemania

VOSKUHL, Ursula, Mrs., Director-General, European and International Social Policy Department, Federal Ministry of Labour and Social Affairs; Representative of the Government of Germany on the Governing Body.

substitutes:
WILLERS, Dietrich, Mr., Head, Section for ILO Affairs, Federal Ministry of Labour and Social Affairs; Substitute Government Representative of Germany on the Governing Body.
FENDRICH, Peter, Mr., Director, International Social Policy (outside EU), Federal Ministry of Labour and Social Affairs.

accompanied by:
RINGKAMP, Werner, Mr., Counsellor, Permanent Mission, Geneva.
KALBITZER, Ulrich, Mr., Permanent Mission, Geneva.

Arabie saoudite Saudi Arabia Arabia Saudita

ALTEWAIJRI, Othman A., Mr., Assistant Deputy Minister for Labour Affairs; Representative of the Government of Saudi Arabia on the Governing Body.

substitute:
AL HADLAAQ, Abdulaziz I.S., Mr., Director-General, International Organizations Affairs, Ministry of Labour and Social Affairs; Substitute Government Representative of the Government of Saudi Arabia on the Governing Body.

Argentine Argentina Argentina

URIBURU, José Alberto, Sr., Secretario de Trabajo, Ministerio de Trabajo y Seguridad Social; Representante del Gobierno de Argentina ante el Consejo de Administración.

suplente:
IÑIGUEZ, José Maria, Sr., Subsecretario de Relaciones Laborales; Representante Alterno del Gobierno de Argentina ante el Consejo de Administración.
acompañado de:
BENITEZ, Manuel, Sr., Ministro Plenipotenciario, Misión Permanente en Ginebra.
VARELA, Eduardo, Sr., Consejero, Misión Permanente en Ginebra.

Bangladesh

SARKAR, Muhammad Ahsan Ali, Mr., Secretary, Ministry of Labour and Employment; Representative of the Government of Bangladesh on the Governing Body.

substitute:
CHOWDHURY, Iftekhar Ahmed, H.E., Mr., Ambassador, Permanent Representative of Bangladesh in Geneva; Deputy Representative of the Government of Bangladesh on the Governing Body.

acompañado por:
JAHAN, Ismat, Ms., Counsellor, Permanent Mission, Geneva.
ISLAM, Shahidul, Mr., Counsellor, Permanent Mission, Geneva.
RAHMAN, Khalilur, Mr., Counsellor, Permanent Mission, Geneva.
CHAKRABERTY, Prashanta Kumar, Mr., Senior Assistant Chief, Ministry of Labour and Employment.

Brésil  Brazil  Brasil

BAHADIAN, Adhemar Gabriel, S.E., Sr., Embajador; Representante del Gobierno de Brasil ante el Consejo de Administración.

acompañado de:
SIMAS MAGALHÃES, Carlos Alberto, Sr., Ministro-Consejero, Misión Permanente, Ginebra.
GOMES DOS SANTOS, María Helena, Sra., Chefa de la División Internacional, Ministerio de Trabajo.
COELHO DE SOUZA, Leonardo, Sr., Segundo Secretario, Misión Permanente, Ginebra.

Canada

POISSON, Yves, M., Directeur général, Politique stratégique et partenariats, Ministère du développement des ressources humaines; représentant du gouvernement du Canada au Conseil d’administration.

suppléants:
PERLIN, Jean, Ms., Counsellor, Permanent Mission, Geneva.
ROBINSON, Debra, Mme, Directrice des affaires internationales du Travail, programme du Travail, Ministère du développement des ressources humaines.

acompañé de:
GERVAIS-VIDRICaire, Marie, Mme, Ministre et Représentant permanent du Canada à Genève.
WHITESIDE, Dale, Mme, Analyste principale des politiques, Direction de la planification de la politique commerciale, Ministère des affaires étrangères et du commerce international.
O’NEIL, Nathalie, Mme, Agent principal des affaires internationales, Programme du travail, Ministère du développement des ressources humaines.
HOANG, Lan, Mme, Conseiller, Institutions spécialisées et dossiers économiques de l’ONU, Direction des Nations Unies et du Commonwealth, Ministère des Affaires étrangères et du Commerce international.
Chine China China
LI, Zhongzhou, Mr., Deputy Permanent Representative of the People's Republic of China in Geneva.

substitutes:
LI, Donglin, Mr., Director General, Department of International Cooperation, Ministry of Labour and Social Security.
ZHANG, Wei, Mr., Counsellor, Permanent Mission, Geneva.

accompanied by:
LIU, Xu, Mr., Branch Chief, Department of International Cooperation, Ministry of Labour and Social Security.
ZHANG, Gengchen, Mr., Office Director, Institute for International Labour and Information Studies, Ministry of Labour and Social Security.
GUAN, Jinghe, Mrs., Deputy Branch Chief, Department of International Cooperation, Ministry of Labour and Social Security.
LI, Mingfu, Mr., Third Secretary, Permanent Mission, Geneva.
WONG, Kwok-Lun, Mr., Acting Chief Labour Officer, Education and Manpower Bureau, Hong Kong Special Administrative Region of P.R. of China.

Colombie Colombia
YEPES ARCILA, Hernando, Sr., Ministro de Trabajo y Seguridad Social.

acompañado de:
REYES RODRIGUEZ, Camilo, S.E., Sr., Embajador, Representante Permanente de Colombia en Ginebra.
OVIEDO, Amparo, Sra., Ministro Consejero, Misión Permanente en Ginebra.
CABALLERO PARDO, Rubén, Sr., Jefe de la Oficina de Asuntos Internacionales del Ministerio de Trabajo y Seguridad Social.

Congo
NZIKOU, Jean, S.E., M., Ambassadeur, Représentant permanent du Congo à Genève.
BABAKISSINA, Dieudonné, M., Directeur de Cabinet au Ministère du Travail et de la Sécurité sociale.

accompagné de:
NGANGA, M. Nicodème, M., Conseiller au Travail à la Présidence.
NZABA, Anatole, M., Directeur général du Travail et de la Sécurité sociale.
OLLANDZOOBO, Etienne, M., Directeur de l’Action sanitaire et sociale à la Caisse de Retraite des Fonctionnaires.
BIABAROCH-IBORO, Justin, M., Conseiller, Mission permanente, Genève

République de Corée Republic of Korea República de Corea
JU, Chul Ki, H.E., Mr., Ambassador, Acting Permanent Representative of the Republic of Korea in Geneva.

substitute:
KIM, Youn Chul, Mr., Counsellor, Permanent Mission, Geneva.

accompanied by:
CHO, Chung-Ho, Mr., Director, International Labour Cooperation Division, Ministry of Labour.
CHUNG, Hyoung Woo, Mr., Deputy Director, International Labour Cooperation Division, Ministry of Labour.
KIM, Sun-Dong, Mr., Assistant Director, Human Rights and Social Affairs Division, Ministry of Foreign Affairs and Trade.
KIM, Yoo-Hin, Assistant Director, International Labour Cooperation Division, Ministry of Labour.
KIM, Dae Hwan, Mr., Third Secretary, Permanent Mission, Geneva.

Egypte  Egypt  Egipto

ZAHRAN, Mounir, H.E., Mr., Ambassador, Permanent Representative of Egypt in Geneva; Representative of the Government of Egypt on the Governing Body.

accompanied by:
TAWFIK, Mohamed, Counsellor, Permanent Mission, Geneva.
ABDEL MONEIM, Hassan, Mr., First Secretary, Permanent Mission, Geneva.

Etats-Unis  United States  Estados Unidos

SAMET, Andrew J., Mr., Deputy Under Secretary for International Affairs, Department of Labor; Representative of the Government of the United States on the Governing Body.

substitute:
SPRING, Charles H., Mr., Director, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor; Substitute Representative of the Government of the United States on the Governing Body.

accompanied by:
MOOSE, George, H.E., Mr., Ambassador, Permanent Representative of the United States in Geneva.
MACKIN BARRETT, Joian, Ms., Manpower Analyst, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.
BEDNARZIK, Robert W., Mr., Senior Economist, Office of International Economic Affairs, Bureau of International Labor Affairs, Department of Labor.
LONG, John D., Mr., Labor Attaché, Permanent Mission, Geneva.
MISNER, Julia E., Ms., International Relations Officer, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.
NEIGHBOUR, Hugh, Mr., Director for Industrial and Communications Programs, Bureau of International Organization Affairs, Department of State.

France  Francia

CARTIER, Jean-Louis, M., Inspecteur général des Affaires sociales; représentant suppléant du gouvernement de la France au Conseil d'administration.

suppléants:
PETIT, Philippe, S.E., M., Ambassadeur, Représentant permanent de la France à Genève.
BOCCOZ, Michèle, Mme, Conseiller, mission permanente à Genève.

accompagné de:
SAINT-PAUL, François, M., Representant permanent adjoint de la France à Genève.
RAMOND, Maurice, M., Inspecteur général honoraire des Affaires sociales.
CAUSERET, Charley, M., Sous-Directeur, Direction des Nations Unies et des Organisations internationales, Ministère des Affaires étrangères.
AMEIL, Agnès, Mme, Direction des Nations Unies et des Organisations internationales, Ministère des Affaires étrangères.
PETITGUYOT, Marie-Christine, Mme, Chargé de mission, Délégation générale à l'Emploi et de la Formation professionnelle, Ministère de l'Emploi et de la Solidarité.
TEYSSONNEYRE, Claude, M., Chargé de mission, Délégation aux Affaires européennes et internationales, Ministère de l'Emploi et de la Solidarité.

Guinée Guinea Guinea

BANGOURA, Ousman, Directeur national de la Fonction publique.

accompagné de:
CONTE, Alpha, M., Directeur national adjoint de l'emploi et de la réglementation du travail.
CAMARA, Sékou, M., Chargé d'affaires; Représentant permanent adjoint de la Guinée à Genève.

Hongrie Hungary Hungria

ÖRY, Csaba, Mr., State Secretary, Ministry of Social and Family Affairs; Representative of the Government of Hungary on the Governing Body.

substitutes:
KLEKNER, Péter, Mr., Deputy Director, Department for International Affairs and European Integration. Ministry of Social and Family Affairs.
VARGA, Zoltán, Mr., Counsellor, Permanent Mission of Hungary in Geneva.

accompagné par:
FÄRI, László, Mr., Chief Counsellor, Ministry of Social and Family Affairs.

Inde India India

MISHRA, Lakshmidhare, Mr., Secretary, Ministry of Labour; Representative of the Government of India on the Governing Body.

accompagné par:
SINGH, H.K., Mr., Deputy Permanent Representative, Permanent Mission, Geneva.
SIRAJUDDIN, P.M., Mr., Director, Ministry of Labour.
SHAHARE, Rajeev, Mr., First Secretary, Permanent Mission, Geneva.

Italie Italy Italia

CAVAGLIERI, Alberto, M., Ambassadeur, Ministère des Affaires étrangères; représentant du gouvernement de l'Italie au Conseil d'administration.

suppléant:
VALCAVI, Domenico, M., Directeur général de l'Emploi, Ministère du Travail; représentant suppléant du gouvernement de l'Italie au Conseil d'administration.
accompagné de:
SCHIAVONI, Gerolamo, M., Premier Conseiller, Mission permanente à Genève.
AKAO, Nobutoshi, H.E., Mr., Chairperson of the Governing Body of the ILO and Ambassador Extraordinary Plenipotentiary in Geneva.

**Substitutes:**

IWATA, Kimie, Mrs., Assistant Minister of Labour, Ministry of Labour; Deputy Representative of the Government of Japan on the Governing Body.

TSUNEKAWA, Kenji, Mr., Director, International Labour Affairs Division, Ministry of Labour.

**Accompanied by:**

SUMI, Shigeki, Mr., Counsellor, Permanent Mission, Geneva.

MIYAGAWA, Makio, Mr., Counsellor, Permanent Mission, Geneva.

TAKEZAWA, Masaaki, Mr., Counsellor, Permanent Mission, Geneva.

ISAWA, Akira, Mr., Counsellor, Permanent Mission, Geneva.

UEHARA, Takanori, Mr., First Secretary, Permanent Mission, Geneva.

MORI, Akinori, Mr., First Secretary, Permanent Mission, Geneva.

WATANABE, Takekazu, Mr., First Secretary, Permanent Mission, Geneva.

SATO, Etsuko, Ms., Officer, International Labour Affairs Division, Minister's Secretariat, Ministry of Labour.

**Maurice Mauritius Mauricio**

PEEROO, Abdool Razack, Mr., Attorney-General, Minister of Justice, Human Rights and Corporate Affairs and Minister of Labour and Industrial Relations; Representative of the Government of Mauritius on the Governing Body.

BAICHOO, Dharmadhlass, H.E., Mr., Ambassador and Permanent Representative of Mauritius in Geneva.

**Accompanied by:**

GARLA, Moortooja, Mr., Permanent Secretary, Ministry of Industrial Relations.

JOLIE, Philippe, Mr., Acting Chief Labour Officer, Ministry of Industrial Relations.

DWARKA-CANABADY, Usha Chandnee, Mrs. Minister Counsellor, Permanent Mission, Geneva.

LAM CHIOU YEE, Ah Yao, Mr., First Secretary, Permanent Mission, Geneva.

MUNISAMY, Renganaden, Mr., Attaché, Permanent Mission, Geneva.

**Nigeria**

UDOGWU, E.O., Mr., Minister of Labour and Productivity; Representative of the Government of Nigeria on the Governing Body.

**Substitute:**

OYEGBUN, David, Mr., Permanent Secretary, Federal Ministry of Labour and Productivity.

**Accompanied by:**

ABUAH, Ejoh, H.E., Mr., Ambassador, Permanent Representative of Nigeria in Geneva.

AHMAD, Abdullah S., Mr., Labour Representative, Permanent Mission, Geneva.

IDIGBE, F.O., Mr., Counsellor, Permanent Mission, Geneva.

OSAH, C.A., Mr., Minister, Permanent Mission, Geneva.

BONKAT, B.N., Mr., Director, (Employment and Wages).

ENABULELE, C.N., Mr., Director, Labour Inspectorate.

IWUAZOR, C.O., Mr., Director, Trade Unions Services and Industrial Relations.

HENRY, P.E., Mr. Deputy Director (Labour).

ABBA-AJI, Mohammed., Mr., Managing Director, Nigerian Social Insurance Trust Fund.
GANA ZANNA, Alhaji Baba, Mr., Director General, National Directorate of Employment.
AJAYI, S.T., Mr., Director-General, NPC.
GANA, Alhaji Zana, M., Mr., Executive Director, Nigerian Social Insurance Trust Fund.

Panama

DUCREUX, Antonio A., Sr., Viceministro de Trabajo y Desarrollo Laboral; Representante del Gobierno de Panamá ante el Consejo de Administración.

acompañado de:
KAM, Leonardo, S.E., Sr, Embajador, Representante Permanente de Panamá en Ginebra.
BONAGAS, Javier, S.E., Sr. Embajador, Representante Permanente Alterno de Panamá en Ginebra.
MANZUR BARREDA, Beatriz, Sra., Jefa del Departamento de Colaboración con la OIT, Ministerio de Trabajo y Desarrollo Laboral.

Pologne Poland Polonia

BORUTA, Irena, Ms., Under-Secretary of State, Ministry of Labour and Social Policy; Representative of the Government of Poland on the Governing Body.

substitue:
JAKUBOWSKI, Krzysztof, H.E., Mr., Ambassador, Permanent Representative of Poland in Geneva.

accompagnied by:
CIECHANSKI, Jerzy, Mr., Director, European Integration and International Cooperation Department, Ministry of Labour and Social Policy.
HENCZEL, Remigiusz Achilles, Mr., Counsellor, Permanent Mission in Geneva.
LEMIESZEWSKA, Renata, Ms., Chief Expert, European Integration and International Cooperation Department, Ministry of Labour and Social Policy.
NOWICKI, Czeslaw, Mr., Adviser to the Minister, European Integration and International Cooperation Department, Ministry of Labour and Social Policy.

Royaume-Uni United Kingdom Reino Unido

NIVEN, Marie, Ms., Principal, International Relations Branch, Department for Education and Employment; Representative of the Government of the United Kingdom on the Governing Body.
LYNE, Roderic, S.E., Mr., Ambassador, Permanent Representative of the United Kingdom in Geneva.

substitutes:
PICTON, Hugh, Mr., Higher Executive Officer, Department for Education and Employment.
THOMAS, Michael, Mr., Executive Officer, Department for Education and Employment.
WARRINGTON, Guy, Mr., First Secretary, Permanent Mission of the United Kingdom in Geneva.

accompanied by:
TUCKER, Clive, Mr., Head of International Relations Directorate.
FRARY, Helen, Ms., Second Secretary, Permanent Mission of the United Kingdom in Geneva.

Fédération de Russie Russian Federation Federación de Rusia

KALASHNIKOV, Serguei, Mr., Minister of Labour and Social Protection.
- 8 -

accompanied by:
KOLODKIN, Roman A., Mr., Deputy Permanent Representative of the Russian Federation in Geneva.
PANKOV, Valeriy, Mr., Deputy Director of the International Cooperation Department, Ministry of Labour and Social Protection.
IOUDINE, V, Mr. Counsellor, Permanent Mission, Geneva.
LYJENKOV, Alexei L., Mr., First Secretary, Permanent Mission, Geneva.
SHVEDOV, M.B., Mr., Attaché, Permanent Mission, Geneva.

Suriname
PIERKHAN, M.A., Faried, Mr. Minister of Labour.
accompanied by:
BELFOR, Jimmy L., Mr. Deputy Secretary, Juridical and Internal Affairs.

Swaziland Swaziland Swazilandia
MNDZEBELE, J.M., Mr., Commissioner of Labour, Ministry of Enterprise and Employment; Substitute Representative of the Government of Swaziland on the Governing Body.

Thaïlande Thailand Tailandia
RANANAND, Prasong, Mr., Permanent Secretary, Ministry of Labour and Social Welfare; Representative of the Government of Thailand on the Governing Body.

substitute:
GARNJANA-GOONCHORN, Krit, H.E., Mr., Ambassador, Permanent Representative of Thailand in Geneva.
accompanied by:
PAYAKANITI, Supatra, Mrs., Senior Expert on International Labour Affairs, Office of the Permanent Secretary, Ministry of Labour and Social Welfare.
BURAPHATANIN, Kovit, Mr., Acting Director, International Labour Affairs Division, Ministry of Labour and Social Welfare.
DVITTYANANDA, Asha, Mrs., Minister, Deputy Permanent Representative of Thailand in Geneva.
CHAROENSUWAN, Sarun, Mr., First Secretary, Permanent Mission, Geneva.

Turquie Turkey Turquía
ISIK, Rüştah, Mr., Former Under-Secretary, Ministry of Labour and Social Security; Representative of the Government of Turkey on the Governing Body.

substitutes:
SEREF, Midhat, Mr., Deputy Under-Secretary, Ministry of Labour and Social Security.
DURUSOY, Aydin, Mr., Minister-Counsellor, Deputy Permanent Representative of Turkey in Geneva.
BERBER, Abdülhalik, Mr., Counsellor for Labour and Social Affairs, Permanent Mission, Geneva.
accompanied by:
ISIKCI, Kadir, Mr., Assistant Director General, Ministry of Labour and Social Security.
KOPUZ, Arif, Mr., Expert, Ministry of Labour and Social Security.
Membres Employeurs / Employer Members / Miembros Empleadores

AKA-ANGHUI, Joseph, M. (Côte d'Ivoire), Président honoraire du Conseil national du Patronat ivoirien.
ANAND, Indra Prakash, Mr. (India), Chairman, Shivathene Centre.
BOUSSAT, Bernard, M. (France), Conseiller, Mouvement des Entreprises de France.
DAHLAN, Abdullah Sadiq, Mr. (Saudi Arabia), Secretary-General, Jeddah Chamber of Commerce and Industry.
DÍAZ GARAYCOA, Francisco, Sr. (Ecuador), Asesor Jurídico, Federación Nacional de Cámaras de Industrias del Ecuador.
FRANCE, Deborah A, Ms. (United Kingdom), Head, International Social Affairs, Confederation of British Industry.
FUNES DE RIOJA, Daniel, Sr. (Argentina), Presidente del Departamento de Política Social, Unión Industrial Argentina.
HOFF, Erik, Mr. (Norway), Director, Confederation of Norwegian Business and Industry (NHO).
KATZ, A., Mr. (United States), President, United States Council for International Business.
M'KAISSI, Ali, M. (Tunisie), Directeur, Département des relations du Travail et des Affaires sociales, UTICA.
OWUOR, Tom Diju, Mr. (Kenya), Executive Director, Federation of Kenya Employers.
SUZUKI, Toshio, Mr. (Japan), Senior Managing Director, NIKKEIREN International Cooperation Center.
TAN, Ancheta K., Mr. (Philippines), President Emeritus, Employers' Confederation.
THUSING, Rolf, Mr. (Germany), Executive Board, Confederation of German Employers' Associations (BDA); Vice-Chairperson of the Governing Body of the ILO.

***

HESS, Christian, Mr., accompanying Mr. Thusing.
RICHOTTE, John, Mr., accompanying Mr. Katz.

Membres Travailleurs / Worker Members / Miembros Trabajadores

BRETT, Bill, Mr. (United Kingdom), Member, General Council Trades Union Congress (TUC); Vice-Chairperson of the Governing Body of the ILO.
EDSTROM, Ulf, Mr. (Sweden), International Secretary, Swedish Trade Union Confederation.
ENGELEN-KEFER, Ursula, Mrs. (Germany), Vice-President, German Confederation of Trade Unions (DGB).
FALBR, Richard, Mr. (Czech Republic), President of the Czech-Moravian Chamber of Trade Unions.
ITO, Sukesada, Mr. (Japan), President, Japanese Trade Union Confederation (JTUC-RENGO).
KIKONGI DI MWINSI, Fernand, M. (Rép. dém. du Congo), Président, Confédération syndicale.
MANSFIELD, William, Mr. (Australia), Assistant Secretary, Australian Council of Trade Unions (ACTU).
MOOKHERJEE, Subrata, Mr. (India), Vice-President, Indian National Trade Union Congress (INTUC).
PARROT, Jean-Claude, M. (Canada), Vice-Président exécutif, Congrès du Travail du Canada (CTC).
ROZAS VELASQUEZ, Maria, Sra. (Chile), Secretario General, Central Unitaria de Trabajadores.
SAHIBANI, Ismaïl, M. (Tunisie), Secrétaire général, Union générale tunisienne du Travail (UGTT).
SANCHEZ MADARIAGA, Alfonso, Sr. (México), Secretario de Relaciones Internacionales, Confederación de Trabajadores de México (CTM).
SIBANDA, G., Mr. (Zimbabwe), President, Zimbabwe Congress of Trade Unions (ZCTU).
ZELLHOEFER, Jerry, Mr. (United States), AFL-CIO European Office.

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HAYASHIBARA, Michiko, Mrs., accompanying Mr. Ito.
MALLON, Brian, M., accompagnant M. Parrot.
STEVNE, Simon B., Mr., accompanying Mr. Brett.
VON SEGGERN, Burkhard, Mr., accompanying Mrs. Engelen-Kefer.
MEMBRES GOVERNEMENTAUX ADJOINTS
GOVERNMENT DEPUTY MEMBERS
MIEMBROS GUBERNAMENTALES ADJUNTOS

Afrique du Sud  South Africa  Sudáfrica

MDLADLANA, M.M.S, Mr., Minister of Labour.

accompanied by:
PITYANA, S., Mr., Director-General, Department of Labour.
KETTLEDAS, L., Mr., Deputy Director-General, Department of Labour.
NKOSI, M., Mr., Counsellor (Labour), Permanent Mission, Geneva.
CARIM, X., Mr., Minister (Trade), Permanent Mission, Geneva.
MOGOTSI, I., Mr., First Secretary, Permanent Mission, Geneva.

Algérie  Algeria  Argelia

BOUTALEB, Abdelaziz, M., Secrétaire général, Ministère du Travail, de la Protection sociale et de la Formation professionnelle.

accompagné de:
MESSAOUI, Mahiddine, M., Ministre plénipotentiaire, mission permanente, Genève.
MEGATTELI, Mahfoud, M., Secrétaire général, Confédération générale des employeurs algériens (CGEA).

Autriche  Austria  Austria

MELAS, Heinz-Michael, Mr., Director, Federal Ministry of Labour and Social Affairs; Representative of the Government of Austria on the Governing Body.
KREID, Harald, H.E., Mr., Ambassador, Permanent Mission, Geneva.

accompagné by:
FRANK, Ulrich, Mr., First Secretary, Permanent Mission, Geneva.

République centrafricaine  Central African Republic  República Centroafricana

YANGO-SINDO, Alexandre Désiré, M., Directeur général du Travail, Ministère de la Fonction publique, du Travail et de la Formation professionnelle.

Chili  Chile

MEJÍA VIEDMAN, Sergio, Sr., Subdirector del Trabajo, Ministerio del Trabajo y Previsión Social.

suplentes:
ILABACA ORPHANOPOULOS, José Luis, Sr., Consejero, Ministerio de Relaciones Exteriores.
LABBE VILLA, Alfredo, Sr., Consejero, Misión Permanente, Ginebra.

acompañado de:
GONZÁLEZ GUERRERO, Sergio, Sr., Agregado Laboral, Misión Permanente, Ginebra.
Costa Rica

BENAVIDES, Bernardo, Sr., Vice-Ministro de Trabajo y Seguridad Social.

acompañado de:
GUILLERMET, Christian, Sr., Consejero, Misión Permanente en Ginebra.

Côte d'Ivoire

N'DRI KONAN, Lazare, M., Directeur de l’Emploi et de la Réglementation du Travail.

accompagné de:
FLEGBO, Jérôme, M., Conseiller, mission permanente, Genève.

Croatie Croatia Croacia

BABIC, Vera, Mrs., Deputy Minister, Ministry of Labour and Social Welfare; Representative of the Government of the Republic of Croatia on the Governing Body.

substitutes:
CEK, Spomenka, H.E., Mrs., Ambassador, Permanent Representative of the Republic of Croatia in Geneva.
MUSULIN, Marina, Mrs., Head of the Department for International Relations and Cooperation, Ministry of Labour and Social Welfare.

acompañado por:
KOS, Vesna, Ms., Second Secretary, Permanent Mission in Geneva.

Cuba

DELGADO-GONZALEZ, Adrian, Sr., Primer Secretario, Misión Permanente en Ginebra.

acompañado de:
HERNANDEZ QUESADA, Aymée, Srita., Segunda Secretaria, Misión Permanente en Ginebra.

Espagne Spain España

LOPEZ-MONIS, Carlo, Sr., Consejero Laboral y de Asuntos Sociales, Misión Permanente en Ginebra.

acompañado de:
GARCIA-CONDE, D. Rodrigo, Sr., Consejero Laboral y de Asuntos Sociales Adjunto, Misión Permanente en Ginebra.

Ethiopie Ethiopia Etiopia

ÁBDELLA, Hassen, Mr., Minister of labour and Social Affairs.

substitute:
TESEMA, Diriba, Mr., International Relations Team, Ministry of Labour and Social Affairs.

acompañado por:
TADESSE W/GIOGIS, Woinshet, Ms., First Secretary, Permanent Mission, Geneva.
ALEMU GETAHUN, Minelik, Mr., Second Secretary, Permanent Mission, Geneva.
Finlande Finland Finlandia

SALMENPERÄ, Matti, Mr., Director of the Working Environment Division, Ministry of Labour.

substitutes:
RAIVIO, Tuuli, Ms., Counsellor (Labour Affairs), Permanent Mission, Geneva.
TOMMOLA, Aila, Ms., Secretary for International Affairs, Ministry of Labour.

accompanied by:
BRUUN, Niklas, Mr., Professor, Swedish School of Economics and Business Administration.

Indonésie Indonesia Indonesia

SIMANJUNTAK, Payaman, Mr., Senior Adviser to the Minister of Manpower, Department of Manpower.

substitute:
SYAHRRUDIN, Saodah B.A, Mrs., H.E., Ambassador, Deputy Permanent Representative of Indonesia in Geneva.

accompanied by:
BRODJODARONO, Sriharto, Mr., Head, Public Relations and Foreign Cooperation Bureau, Department of Manpower.
RUSTAM, Lucia Helwinda, Ms., Counsellor, Permanent Mission, Geneva.
HENDRASMORO, Primanto M., Mr., First Secretary, Permanent Mission, Geneva.
LUHULIMA, Anita L., Ms., Third Secretary, Permanent Mission of Indonesia in Geneva.

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

KHORRAM, Ali, H.E., Mr., Ambassador and Permanent Representative of the Islamic Republic of Iran in Geneva.

accompanied by:
FANNIZADEH, Kamran, Mr., Counsellor for Labour and Social Affairs, Permanent Mission, Geneva; Substitute Representative of the Government of the Islamic Republic of Iran on the Governing Body.

Jordanie Jordan Jordania

AL-FARHAN, Mohammed Mahadi, Mr., Minister of Labour.

accompanied by:
ZIDAN, Nayef, Mr., Counsellor, Permanent Mission, Geneva.
DAJANI, Shukri, Mr., Adviser, Permanent Mission, Geneva.

Malaisie Malaysia Malasia

DATO’ ZAINOL, Abdidin bin Abd. Rashid, Mr., Secretary General, Ministry of Human Resources.
HAMIDON, Ali, H.E., Mr., Ambassador, Permanent Representative of Malaysia in Geneva.

accompanied by:
MODH, Ismail Whidin, Mr., Assistant Secretary, International Division of the Ministry.
HASNUNUDIN, Hamzah, Mr., Deputy Permanent Representative, Permanent Mission, Geneva.
SHARIFAH FUZIAH, Syed Abdullah, Mrs., Counsellor (Labour Affairs), Permanent Mission, Geneva.
Mexique Mexico México

JOUBLANC, Luciano, S.E., Sr., Embajador, Representante Permanente Alterno de México en Ginebra. DÍAZ INFANTE, Sergio, Sr., Director General, Política Laboral Internacional, Secretaría del Trabajo y Previsión Social.

acompañados de:
SOSA MÁRQUEZ, Lourdes, Srita., Tercera Secretaria, Misión Permanente, Ginebra.

Mongolie Mongolia Mongolia

ZANGAD, A, Mr., State Secretary, Ministry of Health and Social Welfare.

acompañado by:
BYAMBAA, D., Mr., Director, Department of Strategic, Management and Planning, Ministry of Health and Social Welfare.
JARGALSAIKHAN, Gozon, Mr., First Secretary, Permanent Mission in Geneva.

Namibie Namibia Namibia

SCHLETTWEIN, Carl H., Mr., Permanent Secretary, Ministry of Labour.

acompañado by:
HIKUAMA-MUPAINE, Kenapeta, Mr., Director, Ministry of Labour.
NGHIYOONANYE, G.T.M., Ms., Deputy Director, Ministry of Labour.

Ouganda Uganda Uganda

MATEKE, Philimon, Mr., Minister of State for Labour and Social Development. OSEKU, Alphonse, H.E., Mr., Ambassador, Permanent Representative of Uganda in Geneva.

acompañado by:
OLWENY, Claudius, Mr., Director of Labour, Ministry of Gender, Labour and Social Development. BANYA, Joyce, Ms., First Secretary, Permanent Mission, Geneva.

Pakistan

AKRAM, Munir, H.E., Mr., Ambassador and Permanent Representative of Pakistan in Geneva.

acompañado by:
JANJUA, Tehmina, Mrs., Counsellor, Permanent Mission in Geneva. QAZI, M. Syrus, Mr., Second Secretary, Permanent Mission in Geneva. AFTAB, Mariam, Miss, Third Secretary, Permanent Mission in Geneva.

Pérou Peru Perú

VOTO-BERNALES, Jorge, S.E., Sr., Embajador, Representante Permanente del Perú en Ginebra.

acompañado de:
CHÁVEZ, Luis Enrique, Sr., Consejero, Misión Permanente en Ginebra. GUILLEN, Gonzalo, Sr., Primer Secretario, Misión Permanente en Ginebra.
Philippines

SARMIENTO, Regina Irene P., Ms., Labor Attaché, Permanent Mission, Geneva.

Senegal

CORREA, Marie-Louise, Mme, Ministre du Travail et de l'Emploi.
DIALLO, Absa Claude, S.E., Mme, Ambassadeur, Représentante permanente du Sénégal à Genève.

accompanied by:
NIANG, El Hadji, M., Premier Secrétaire, mission permanente à Genève.
DIALLO, Soulezmane, M., Fonctionnaire au Ministère du Travail et de l'Emploi.

Slovaquie

HADVÉLKOVÁ, Eva, Mrs., Third Secretary, Permanent Mission, Geneva.

accompanied by:
MAJEK, Milan, Mr., Expert and Advisor, Ministry of Labour, Social Affairs and Family.

Suède

JONZON, Björn, Mr., Director, Ministry of Labour; Representative of the Government of Sweden on the Governing Body.

substitute:
WIKLUND, Kerstin, Ms., Counsellor, Ministry of Labour; Substitute Representative of the Government of Sweden on the Governing Body.

accompanied by:
BARREFELT, Bo, Mr., Deputy Director, Ministry of Labour.

Syrian Arab Republic

AL-HAMOUI, Faysal, M., Conseiller, Mission permanente, Genève.

Ukraine

MAIMESKUL, Mykola, H.E., Mr., Ambassador, Permanent Representative of Ukraine in Geneva.
TETKIN, Volodymyr, Mr., Deputy Minister of Labour and Social Policy.

substitutes:
VYNOKUROV, Andriy, Mr., Counsellor, Department of International Organizations, Ministry of Foreign Affairs.
YAMPOLSKY, Sergiy, Mr., First Secretary, Permanent Mission in Geneva.

*****
MEMBRES EMPLOYEURS ADJOINTS / EMPLOYER DEPUTY MEMBERS /
MIEMBROS EMPLEADORES ADJUNTOS

ABOU ABDALLAH, Ahmed, M. (Maroc), Secrétaire général, Fédération des Chambres de Commerce et d'Industrie du Maroc.

ABOUGHE-OBAME, Jean, M. (Gabon), Confédération patronale Gabonaise (CPG).

BOTHA, J.W., Mr. (South Africa), Business South Africa, (BSA).

CHO, Nam-Hong, Mr. (Republic of Korea), Vice-Chairman, Korea Employers' Federation.

DONATO, Arthur João, Sr. (Brasil), Vicepresidente, Confederacao Nacional da Industria.

DURLING, Walter, Sr. (Panamá), Walter Durling, Consultores y Asesores.

ESPAÑA SMITH, Raúl, Sr. (Bolivia), Confederación de Empresarios Privados de Bolivia.

IMOISILI, Imonitie C., Mr. (Nigeria), Adviser, Nigerian Employers' Consultative Association.

JEETUN, Azad, Mr. (Mauritius), Director, Mauritius Employers' Federation.

KOLMOGOROV, V.P., Mr. (Russian Federation), Vice-President, Russian Union of Industrialists and Employers.

LACASA ASO, José María, Sr. (España), Director del Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).

LAWSON, Jim, Mr. (Canada), President, Canada Employers' Council.

MARSHALL, Steve, Mr. (New Zealand), Chief Executive, New Zealand Employers' Federation.

NOAKES, Bryan, Mr. (Australia), Director-General, Australian Chamber of Commerce and Industry.

ROBINSON, Barrington, Mr. (Jamaica), Executive Member and Committee Chairman, Jamaica Employers' Federation.

SASSO MAZZUFFERI, Lucia, Mme (Italie), Directeur, Bureau des Affaires Internationales, Confédération générale des employeurs d'Italie (CONFINDUSTRIA).

TABANI, Ashraf W., Mr. (Pakistan), President, Employers' Federation.

VAN HOLM, Jan, M. (Belgique), Directeur du Département questions de travail, Fédération des entreprises de Belgique (FEB).


MEMBRES TRAVAILLEURS ADJOINTS / WORKER DEPUTY MEMBERS /
MIEMBROS TRABAJADORES ADJUNTOS


AGYEI, Christian Appiah, Mr. (Ghana), Secretary-General, Trades Union Congress.

AHMED, Khurshid, Mr. (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.

ANGCO, Consuelo, Ms. (Philippines), Trade Union Congress of the Philippines (TUCP-PGEA).

BALDASSINI, Antonio, Sr. (Argentina), Secretario General, Federación de Obreros y Empleados Correos y Telecomunicaciones.

BASNET, Laxman, Mr. (Nepal), President, Nepal Trade Union Congress.

BLONDEL, Marc, M. (France), Secrétaire général, Confédération générale du Travail, Force ouvrière.

DIOP, Madia, M. (Sénégal), Secrétaire général, Confédération nationale des travailleurs du Sénégal.

KARA, Youssef, Mr. (Israel), Member, Histadrut Executive Bureau.

LETTIERI, Antonio, Mr. (Italy), Head of International Department, Confederazione generale italiana del lavoro (CGIL).

MIRANDA OLIVEIRA, J. Olivio, Sr. (Brasil), Central Unica dos Trabalhadores.

MPANGALA, B.P, Mr. (United Republic of Tanzania), Secretary-General, Organization of Tanzanian Trade Unions (OTTU).

O'DONOVAN, Patricia, Ms. (Ireland), Assistant General Secretary, Irish Congress of Trade Unions.

PATEL, Ebrahim, Mr. (South Africa), Member of the Executive Committee of COSATU.

RAMPAK, Zainal, Mr. (Malaysia), Secretary-General, Transport Workers' Union.

SHMAKOV, M.V., Mr. (Russia), President, Federation of Independent Trade Unions (FITUR).

SOMBES, Louis, M. (Cameroon), Secrétaire général, Confédération syndicale des travailleurs du Cameroun.

TROTMAN, LeRoy, Mr. (Barbados), General Secretary, Barbados Workers' Union.

WÓJCIK, Tomasz, Mr. (Poland), President, National Commission of the Independent Self-Governing Trade Union "Solidarnosc".

POPELLO, Serguei, Mr., FNPR International Secretary, accompanying Mr. Shmakov.
III. REPRESENTANTS D'AUTRES ETATS MEMBRES DE L'ORGANISATION
ASSISTANT A LA SESSION
III. REPRESENTATIVES OF OTHER STATES MEMBERS
OF THE ORGANIZATION PRESENT AT THE SESSION
III. REPRESENTANTES DE OTROS ESTADOS MIEMBROS DE LA ORGANIZACION
PRESENTES EN LA REUNION

Australie  Australia
REHN, Kerry, Ms., Assistant Secretary, Legislation Policy and Services Branch, Department of Workplace Relations and Small Business.

Belarus Belarus Belarús
MIKHANEVICH, Syargei, Mr., Chargé d'Affaires a.i., Permanent Mission, Geneva.
Kharashun, Tamara, Ms., Second Secretary, Permanent Mission, Geneva.

Belgique Belgium Bélgica
VANDAMME, F., M., Conseiller général, Service des relations internationales, Ministère de l'Emploi et du Travail.
CLOESEN, Joseph, M., Conseiller adjoint, Service des relations internationales, Ministère de l'Emploi et du Travail.
NOIRFALISSE, J.M., S.E., M., Ambassadeur, Représentant permanent de la Belgique à Genève.
VINCK, M., M., Premier Secrétaire, mission permanente de la Belgique à Genève.

Bolivia Bolivia
AVILA SEIFERT, Silvia, S.E., Sra, Embajadora, Representante Permanente de Bolivia en Ginebra.
LOAYZA BAREA, Javier, Sr., Ministro, Misión Permanente en Ginebra.

Bulgarie Bulgaria
DRAGANOV, Petko, S.E., M., Ambassadeur, Représentant permanent de la République de Bulgarie à Genève.
PIPERKOV, Ivan, Mr., Counsellor, Permanent Mission of Bulgaria, Geneva.

Chypre Cyprus Chipre
ASHIKALI, Anna, Mrs., Counsellor, Permanent Mission, Geneva.

Danemark Denmark Dinamarca
ADLER, Lone, Ms., Special Adviser to the Minister of Labour on International Affairs.
HESS, Soren, Ms., Head of Section, Ministry of Labour.

Equateur Ecuador
VALENCIA, José, Sr., Consejero, Misión Permanente en Ginebra.
THULLEN, Jorge, Mr., Asesor, Misión Permanente del Ecuador en Ginebra.
Gabon

ANGONE-ABENA, Mme, Conseiller chargé des relations avec le BIT, mission permanente du Gabon à Genève.

Iraq Irak

MAHDY, Nafia, M., Conseiller et chargé d'Affaires a.i., mission permanente, Genève.
HUSSAIN, Saad, M., Conseiller, mission permanente, Genève.
ASKER, Ghalib, M., Deuxième secrétaire, mission permanente, Genève.
MAHMOUD, Raad, M., Troisième secrétaire, mission permanente, Genève.

Israël Israel

PELEG, David, H.E., Mr., Ambassador, Permanent Representative of Israel in Geneva.
KOREN, Gary, Mr., Counsellor, Permanent Mission of Israel, Geneva.

Kazakhstan Kazajstán

ZUSSUPOV, Erik, M., Deuxième secrétaire, mission permanente du Kazakhstan

Kenya


Maroc Morocco Marruecos

EL MIDAQUI, Zakia, Mme, Conseiller des Affaires étrangères, mission permanente du Maroc à Genève.

Myanmar

DENZIL ABEL, Mr., Minister Counsellor, Deputy Permanent Representative of the Government of Myanmar in Geneva.
KYAW SWE TINT, Mr., First Secretary, Permanent Mission, Geneva.

Norvège Norway Noruega

VIDNES, Oyvind, Mr., Deputy Director General, Ministry of Local Government and Labour.
BRUAAS, Odd, Mr., Adviser, Ministry of Local Government and Labour.
CHRISTIANSEN, Ottar, Mr., Counsellor, Permanent Mission of Norway in Geneva.

Nouvelle-Zélande New Zealand Nueva Zelandia

STOCKDILL, Ralph, Mr., General Manager, Industrial Relations Service, Department of Labour.
ARMITAGE, Craig, Mr., Strategic management Group, Department of Labour.
GEELS, Deborah, Ms., First Secretary, Permanent Mission of New Zealand in Geneva.
Pays-Bas  Netherlands  Países Bajos

SCHRAMA, Henk, Mr., Director for International Affairs, Ministry of Social Affairs and Employment.
VAN DE GRIENDT, Wilbert, Mr., Head of Department, Directorate for International Affairs, Ministry of Social Affairs and Employment.
VAN DE REE, Willem, Mr., Directorate for International Affairs, Ministry of Social Affairs and Employment.
KOOPMAN, Alieke, Mrs., Directorate for International Affairs, Ministry of Social Affairs and Employment.
OTT, Jan, Mr., Directorate for International Affairs, Ministry of Social Affairs and Employment.
FREDERIKS, Jaap, Mr., First Secretary, Permanent Mission of the Netherlands in Geneva.
DE RIJK, Klaus, Mr., United Nations Directorate, Ministry of Foreign Affairs.

Portugal

ALMEIDA, Luis Tomé, M., Conseiller (affaires du travail et de l'emploi), mission permanente du Portugal à Genève.

Roumanie  Romania  Rumania

FARCAS, Alexandru, Mr., Counsellor, Permanent Mission of Romania in Geneva.
PACURETU, Anton, Mr., Third Secretary, Permanent Mission of Romania in Geneva.

Saint-Marin  San Marino

CECCHETTI, Domenico, M., Coordonnateur du Département Travail et Coopération.
BIGI, Federica, Mme, Ministre plénipotentiaire, Représentant permanent adjoint de Saint-Marin à Genève.
GASPERONI, Eros, M., Stagiaire, mission permanente à Genève.

Sri Lanka

PALIHAKKARA, H.M.G.S., H.E., Mr., Ambassador, Permanent Representative of Sri Lanka in Geneva.
GANEGAMA ARACHCHI, S.S., Mr., First Secretary, Permanent Mission, Geneva.
MENDIS, A. Saj U., Mr., Second Secretary, Permanent Mission, Geneva.

Suisse  Switzerland  Suiza

BRUPBACHER, Stefan, M., Suppléant du Chef du Service des affaires internationales, Office fédéral du développement économique et de l'emploi (OFDE).
MAYORAZ, Eric, M., Secrétaire d'ambassade, mission permanente de la Suisse à Genève.

République tchèque  Czech Republic  República Checa

SVOBODA, Milan, Mr., Counsellor, Permanent Mission, Geneva.
PINTER, Ivan, Mr., Desk Officer, Ministry of Foreign Affairs.

Tunisie  Tunisia  Túnez

MORJANE, Kamel, S.E., M., Ambassadeur; Représentant permanent de la Tunisie à Genève.
JOMAA, Ghazi, M., Conseiller, mission permanente de la Tunisie à Genève.
BACCAR, Kadhem, M., Conseiller des affaires étrangères, mission permanente de la Tunisie à Genève.
Uruguay

SGARBI, Carlos, Sr., Ministro Consejero, Misión Permanente de Uruguay en Ginebra.

Venezuela

RODRÍGUEZ CEDEÑO, Victor, S.E., Sr., Embajador, Representante Permanente Alterno de Venezuela en Ginebra.
SALAS CASTILLO, Ricardo, Sr., Segundo Secretario, Misión Permanente de Venezuela en Ginebra.
MENDOZA OMAÑA, María Carolina, Sra., Tercer Secretario, Misión Permanente de Venezuela en Ginebra.

Viet Nam

VU THI BICH DZUNG, Mrs., Third Secretary, Permanent Mission, Geneva.

Yémen/Yemen

AL-ATTAR, Mohamed Saeed, S.E., M., Ambassadeur, Représentant permanent du Yémen à Genève.
AL-OBTHANI, Faisal, M., Premier Secrétaire, mission permanente du Yémen à Genève.

Saint-Siège The Holy See Santa Sede

BERTELLO, Giuseppe, S.E., Mgr, nonce apostolique, Observateur permanent du Saint-Siège à Genève.
DE GREGORI, Massimo, Monsieur l’abbé.
IV. REPRESENTANTS D'ORGANISATIONS INTERNATIONALES GOUVERNEMENTALES

IV. REPRESENTATIVES OF INTERNATIONAL GOVERNMENTAL ORGANIZATIONS

IV. REPRESENTANTES DE ORGANIZACIONES INTERNACIONALES GUBERNAMENTALES

Nations Unies/United Nations/Naciones Unidas

KHMELNITSKI, S., Mr., External Relations and Inter-Agency Affairs Officer.

Haut-commissariat des Nations Unies pour les réfugiés
Office of the United Nations High Commissioner for Refugees
Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados

MATEU, Pablo, Mr., Senior Inter-Organization Officer, Inter-organization Affairs and Secretariat Service.
SCHALL, Heather, Ms., Inter-organization Affairs and Secretariat Service.

Programme des Nations Unies pour le développement
United Nations Development Programme
Programa de las Naciones Unidas para el Desarrollo

BONEV, E., Mr., Senior Adviser, European Office.
TRANKMANN, Beate, Ms., programme Officer, European Office.

Organisation des Nations Unies pour l'alimentation et l'agriculture
Food and Agriculture Organization of the United Nations
Organización de las Naciones Unidas para la Agricultura y la Alimentación

MASUKU, Themba N., Mr., Director Liaison Office, Geneva Office.
BRANDSTRUP, Nina, Ms., Liaison Officer, Geneva Office.

Organisation des Nations Unies pour l'éducation, la science et la culture
United Nations Educational, Scientific and Cultural Organization
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura

CASSAM, A, Ms., Director, Liaison Office in Geneva.

Organisation des Nations Unies pour le développement industriel
United Nations Industrial Development Organization
Organización de las Naciones Unidas para el Desarrollo Industrial

MERZ, Elizabeth, Ms., Liaison Officer.

Organisation Météorologique mondiale
World Meteorological Organization
Organización Meteorológica Mundial

SUTHERLAND, T.W., Mr., Office of the Secretary-General.

Banque mondiale / World Bank / Banco Mundial

TZANNATOS, Zafiris, Mr., Sector Leader, Social Protection, Middle East and North Atlantic Region.
Fonds monétaire international / International Monetary Fund / Fondo Monetario Internacional

TAPLIN, Grant B., Mr., Acting Director.
PROWSE, Susan, Ms., Senior Economist.

Agence internationale de l'énergie atomique
International Atomic Energy Agency
Organismo Internacional de Energía Atómica

OPELZ, Merle S., Ms., Head, IAEA Office in Geneva.
WEBSTER, Aileen B., Ms., IAEA Office in Geneva.

Organisation mondiale du commerce
World Trade Organization
Organización mundial del Comercio

SORENSEN, Jan-Eirik, Mr., Director, Trade and Environment Division.
COSSY, Mireille, Ms., Legal Affairs Officer, Trade and Environment Division.

Organisation internationale pour les migrations
International Organization for Migration
Organización Internacional para las Migraciones

SCHATZER, Pete, Mr., Director, External Relations and Information.
GHOSH, Bimal, Mr., Senior Consultant.

Commission européenne / European Commission / Comisión Europea

DEVONIC, F., Mme, Chef d'unité, Direction générale des Affaires sociales.
MUNUERA, G., M., Administrateur, Direction générales des Affaires sociales.
DUFOUR, Christian, M., Attaché.

Union Interparlementaire / Inter-Parliamentary Union / Unión Interparlamentaria

JOHNSSON, Anders B., Mr. Secretary General.
PINTAT, Christine, Ms., Assistant Secretary General.
TCHELNOYOKOV, Serguei, Mr., Officer in Charge of Economic and Social Questions.

Ligue des Etats arabes / League of Arab States / Liga de Estados Arabes

ALFARAGI, Saad, S.E., M., Ambassadeur Observateur permanent.
SEF EL YAZAL, Samer, M., Troisième Secrétaire.
EL HAJJE, Osman, M., Attaché.
AEID, Salah, M., Attaché.

Organisation arabe du travail / Arab Labour Organization / Organización Arabe del Trabajo

EL-TELAWI, Adnan Khalil, M., Chef, délégation permanente à Genève.
Organisation de l'Unité africaine / Organization of African Unity
Organización de la Unidad Africana

MENSA-BONSU, I.O., Mr.

V. REPRESENTANTS D'ORGANISATIONS INTERNATIONALES NON GOUVERNEMENTALES ASSISTANT A TITRE D'OBSERVATEURS
V. REPRESENTATIVES OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS
V. REPRESENTANTES DE ORGANIZACIONES INTERNACIONALES NO GUBERNAMENTALES PRESENTES EN CALIDAD DE OBSERVADORES

Alliance coopérative internationale
International Co-operative Alliance
Alianza Cooperativa Internacional

THORDARSON, Bruce, Mr., Director-General.
CHAVEZ, Maria Elena, Mrs., Director of UN/NGO Relations.

Association internationale de la sécurité sociale
International Social Security Association
Asociación Internacional de la Seguridad Social

HOSKINS, Dalmer, Mr., Secretary-General.

Confédération internationale des syndicats libres
International Confederation of Free Trade Unions
Confederación Internacional de Organizaciones Sindicales Libres

CUNNIAH, Dan, Mr., Director, Geneva Office.
BIONDI, Anna, Ms., Assistant Director.

Confédération mondiale du travail
World Confederation of Labour
Confederación Mundial del Trabajo

ESTEVEZ, Eduardo, M., Secrétaire confédéral.
FAUCHERE, Béatrice, Mme, Representante permanente.

Organization internationale des employeurs
International Organization of Employers
Organización Internacional de Empleadores

KAPARTIS, Costas, Mr., Secretary-General.
PEÑALOSA, Antonio, Mr., Deputy Secretary-General.
JAMES, George, Mr., Executive Secretary.
- 23 -

Organisation de l'unité syndicale africaine
Organization of African Trade Union Unity
Organización de la Unidad Sindical Africana

SUNMONU, Hassan, Mr., Secretary-General.
ABUZEID, Mohamed Mabrouk, Mr., Permanent Representative in Geneva.

* * *

Les membres suivants n’ont pas pris part à la session:
The following members did not attend the meeting:
Los siguientes miembros no participaron en la reunión:

Sr. Jorge DE REGIL GÓMEZ (México), miembro empleador titular
Sr. Frederico RAMIREZ LEÓN (Venezuela), miembro trabajador titular

M. Papa Ibrahima BEYE (Sénégal), membre employeur adjoint
M. Ibrahim MAYAKI (Niger), membre travailleur adjoint