Minutes of the 285th Session
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The 285th Session of the Governing Body of the International Labour Office was held in Geneva from Tuesday, 19 November, at 3.20 p.m., to Friday, 22 November 2002, under the chairpersonship of Lord William Brett (Worker, United Kingdom).

Monday, 18 November 2002, was devoted to a meeting of the Working Party on the Social Dimension of Globalization, 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, 19 November 2002, afternoon

The sitting opened at 3.20 p.m., with Lord Brett in the Chair.

First item on the agenda

APPROVAL OF THE MINUTES OF THE 284TH SESSION OF THE GOVERNING BODY

The following corrections were received to the minutes of the 284th Session:

In the last paragraph on page 8, continuing on page 9 of the English version, replace the second sentence: “While it was clear that the new Colombian Government was firmly committed to countering the problem of impunity, the dreadful loss of life resulted partly from a lack of resources” by: “She stressed the firm and constant commitment of the Colombian Government to provide the means to improve the struggle against impunity. It was regrettable that it had been impossible to prevent the losses of life, or kidnappings, in many instances because of the lack of financial resources for the protection funds intended to protect the physical integrity of the trade union leaders and their families.”

In the fifth paragraph on page 4 of the English version, replace the sentence: “The work done in the Committee on Freedom of Association also needed review at a future date” by: “The Committee on Freedom of Association had undertaken a review of its methods of work and its findings were published already.”

Subject to the above corrections, the Governing Body adopted the minutes of its 284th Session.

Second item on the agenda


The Employer Vice-Chairperson pointed out that the second discussion on work in the fishing sector would be a standard-setting item at the 93rd Session (2005). There was also the important question of the periodical review of the role of the ILO in technical cooperation, under a general discussion procedure. The adoption of the integrated approach would make it possible to coordinate standard setting with technical assistance and all other forms of action available to the Organization. The Office should further develop the item on child labour and protection of children and young persons, for possible inclusion on the 2005 agenda. The question of decent jobs and productivity interested the group, but did not seem suitable for an integrated approach. It should be dealt with rather as a general discussion item for defining overall policy, or a plan of action, rather than for standard setting. The Office could further develop this question to clarify the parameters of the discussion. Sustainable development, in terms of enterprises, implied enterprises that were competitive; this was achieved by employers and workers jointly seeking the means to promote the incentive.

The item on gender equality in the world of work should be examined to see ways in which it could be linked up with permanent or ongoing ILO activities in gender equality to
give it added value. Regarding the possible extension of grounds on which discrimination is prohibited in Article 1 of Convention No. 111, by the adoption of a Protocol, it was important that the Protocol in question should be open to as wide a ratification as possible. This meant that it should be flexible enough to allow countries to adapt it to the reality of their own social or cultural characteristics.

On the question of promoting decent work in the reconstruction of conflict-affected countries, the Employers felt that technical cooperation was of the greatest importance. A permanent, overall policy, rather than a standard, was required in such instances.

Another matter of importance, on which the Office should carry out research, was the question of youth employment and unemployment. This was an issue that was of importance to the developing and developed world. It involved difficulty of access to the labour market, problems of education and of linkages between education and work. There were gender elements to the question also. The Office had to be able to envisage future labour problems that would require greater attention, and a decision in March 2003 to include an item to this effect on the 2005 Conference agenda would help provide a view of potential problems to come.

The Worker spokesperson said that the integrated approach to be initiated in 2003 in the field of safety and health, and continued in 2004 with the subject of migrant workers, had to lead to a consolidation of standards, and to an overall improvement in the conditions of workers targeted, rather than to a weakening of particular standards which existed before. Before moving to other integrated subjects after 2004, it would be necessary to evaluate precisely what the approach implied, and keep a space to allow this on the 2005 Conference agenda.

The question of promoting decent work in the reconstruction of conflict-affected countries was of great importance, considering the number of conflicts taking place in the world, and the pervasive impact of these on the lives of people everywhere. This should therefore feature on the 2005 agenda.

The Workers' group agreed with the Employers that it was not clear how the question of decent jobs and productivity could be approached. The question of technical cooperation should be examined, and returned to in March 2003 for consideration as to inclusion. Gender equality in the world of work was also a very important subject, which should be examined by a full technical committee, rather than reviewed as one form of discrimination. The item on child labour and protection of children and young persons also required close attention. The ratification campaign for the Worst Forms of Child Labour Convention, 1999 (No. 182), had been very successful, but implementation lagged behind. The Workers were keen to have bipartite discussions with the Employers on the subjects raised, and were open to considering the inclusion of an item on youth employment and unemployment in March 2003. The question of decent work in export processing zones should also be examined.

The group would submit to the Office a certain number of subjects it had put forward occasionally, which had been examined and abandoned, and which the Office could study and include for discussion in March 2003.

A Government representative of Canada, on behalf of the IMEC group, recalled that IMEC had asked in November 2001 for information on the envisaged follow-up to integrated approach discussions. The response in the present report to this request was disappointing. The Office should prepare further analysis and present it to the Governing Body in November 2003, after the first experience of the integrated approach at the June 2003 Conference. The request made in November 2001 for a wider choice of standard-setting items had been met by converting the general discussion proposal on promoting
decent work in the reconstruction of conflict-affected countries into a standard-setting item. This appeared premature given that the Office had not yet followed-up on a previous Governing Body decision to seek further information from member States as to the need to replace the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71). IMEC reiterated its position that priority should be given to following up the recommendations of the LILS Working Party on Policy regarding the Revision of Standards. There was a need to adopt a strategic approach to the selection of Conference agenda items. The Office should address the issues raised in the paper to be prepared for examination at the March 2003 session of the Governing Body.

A Government representative of Slovenia, speaking also for Bulgaria, Lithuania and Romania, noted that there had been a large increase in the number of ratifications of Convention No. 111 in recent years. To consolidate the ILO's position against discrimination, and come into closer harmony with other international human rights instruments, the Convention should be supplemented by a Protocol. The proposal to adopt a number of “core” grounds that would have to be accepted when ratifying the Protocol, and allow States to decide to accept others from the list as well, appeared reasonable.

Decent jobs and productivity were intimately linked. In considering this item, the ILO should guide member States towards conscious policies maximizing the potential benefits of globalization and reducing its negative social effects. The social partners should play an important role in this.

The ILO should address the question of employment and ageing in a general discussion based on the integrated approach. There were many points of intersection between the two elements of the item, and many other fields could be included, such as flexibility of labour markets, occupational safety and health, and lifelong learning.

A Government representative of the United States commended the Office upon the prompt preparation of the report under examination and welcomed the fact that considerable efforts had been invested by the Office in ensuring timely distribution of Governing Body documentation to constituents, as well as in rendering such documents more concise and readable. He trusted that these endeavours would be pursued. He supported wholeheartedly the IMEC statement, particularly as regards appropriate and timely follow-up to the integrated approach and the recommendations of the LILS Working Party on Policy regarding the Revision of Standards. The United States also supported the proposal that the five-yearly review of technical cooperation should be on the 2005 agenda. For consideration at future Conferences, the item on work in ports was a natural sequel to the discussions of the Working Party and to the 2002 General Survey on the Dock Work Convention, 1973 (No. 137), and Recommendation (No. 145). The proposed Protocol to Convention No. 111 was unnecessary, and insufficient time had been allowed to gauge the effect of Convention No. 182, before taking up the item on child labour and protection of children and young persons again.

A Government representative of the Dominican Republic said that considerable efforts were being made in his country to eradicate the worst forms of child labour, and that the item on child labour and the protection of young persons was therefore of great interest. The question of gender equality in the world of work was also interesting. Finally, as the Employers had suggested, it would be appropriate to undertake an in-depth study of youth and unemployment.

A Government representative of China supported the proposal for promoting decent work in the reconstruction of conflict-affected countries. The ILO had much experience and expertise which could be useful in this field. China was also interested in increasing productivity without increasing the burden of social expenditure on society, and would therefore welcome a discussion on decent jobs and productivity. China was concerned with
working time. At present the working day was fixed at eight hours, with an overtime system such that work on an official holiday was paid at three times the normal rate. There was annual leave, but in some private enterprises workers were obliged to work far longer hours and were unable to take holidays; as a result, accidents were frequent. There should be a general discussion on the regulation of working time.

A Government representative of Norway supported the IMEC statement. The Government of Norway had reservations regarding the prohibition of discrimination on grounds of health and language, two of the proposed extended areas. Norway supported general discussions based on the integrated approach, and believed that in March 2003 the Governing Body should consider the subject of child labour and protection of children and young persons for inclusion on the 2005 agenda. The item on decent jobs and productivity was interesting, but did not lend itself to an integrated approach. Promoting decent work in reconstruction of conflict-affected countries was a serious and important issue, but did not appear suitable for standard setting. It could perhaps feature as a side event in 2003 or 2004. Norway strongly supported the item on gender equality in the world of work. The year 2005 fell 20 years after the Conference’s last review of this subject, during which time women’s participation in the world of work had increased considerably. Lastly, technical cooperation was, with standard setting, the most important function of the ILO. A comprehensive discussion on future orientations for technical cooperation was therefore of great interest.

A Government representative of Germany fully supported the IMEC statement. The Office should follow up the recommendations made by the Working Party on Policy regarding the Revision of Standards on the need to examine 24 outdated Conventions. The German Government had no problems with any of the suggestions for the 2005 Conference agenda, nor with those for future agendas. However, as the Worker Vice-Chairperson had said, some concrete clarification should be given of the precise nature of the integrated approach. It was hoped that the measures taken regarding disabled workers should not be considered under a heading of “discrimination”, but rather as measures of “positive discrimination”. It was clearly mentioned under the item on promoting decent work in the reconstruction of conflict-affected countries that the aim would be the adoption of a Recommendation rather than a Convention. This was sensible.

A Government representative of New Zealand endorsed the IMEC statement, but commented that the various proposals did not seem to derive from a clear agenda-setting strategy. Their generation was explained, but they appeared not to be interrelated. One of the outcomes from the discussions on the integrated approach to health and safety might be to develop a new framework for agenda management. The approach adopted by the Global Employment Agenda was also a possible framework for future Conference agenda items. The role of the ILO in technical cooperation should feature on the 2005 agenda, provided it was based on a rigorous evaluation of the impact of ILO work in this area. The item on decent jobs and productivity should be retained for a future Conference agenda as the development of the Global Employment Agenda progressed. Regarding the follow-up discussion on the integrated approach, it was important that the 2003 Conference should specify clearly the work to be done, and reported on regularly, its scope and time frame, during the period between the initial discussions and the follow-up.

A Government representative of Kenya noted that the role of the ILO in technical cooperation should be discussed at the 2005 Conference. The additional items should include the extension of the grounds on which discrimination is prohibited under Convention No. 111 for standard setting, and there should be a general discussion based on the integrated approach on the subject of child labour and protection of children and young persons. The subjects of working time and an integrated approach to work in ports should be retained for future agendas.
A Government representative of India pointed out that the second discussion on work in the fishing sector would result in a standard, as would the Maritime Session of the International Labour Conference, which was to take place in 2005 as well. A further standard-setting item was not desirable: efforts should be concentrated on the ratification, implementation and relevance of existing instruments. The role of the ILO in technical cooperation should be taken up as a general discussion subject in 2005, and for general discussion based on the integrated approach, the questions of decent jobs and productivity and gender equality in the world of work. For future Conferences, the Office should conduct research and hold consultations on the prevention of sexual harassment in the workplace and an integrated approach to work in ports.

A Government representative of France said that his Government was in favour of a discussion on the extension of the grounds on which discrimination is prohibited in Convention No. 111, with the possible adoption of a Protocol. The discussion on the promotion of decent work in the reconstruction of conflict-affected countries would be more properly addressed under the general discussion on the role of the ILO in technical cooperation, which the French Government supported. For a general discussion based on an integrated approach, the subject of decent jobs and productivity was apposite, given its relation to work initiated under the Global Employment Agenda. However, the subject of child labour was also interesting and could centre on the division between the widely ratified Worst Forms of Child Labour Convention, 1999 (No. 182), and the very low implementation of the Minimum Age Convention, 1973 (No. 138).

For future Conferences, the theme of port work should be retained, since it complemented the work in progress on a framework maritime Convention. The work on the integrated approach should be accelerated. The Conference should have an opportunity to discuss the first application of this approach, in June 2003 in the field of safety and health, by following up on it, for example in 2005.

A Government representative of Japan supported the IMEC statement. The Government's preferences for the 2005 agenda included, firstly, gender equality in the world of work, and, secondly, the role of the ILO in technical cooperation. Further research should be undertaken on the items on decent jobs and productivity and on decent work in the reconstruction of conflict-affected countries. The approach to be adopted on these questions should be determined and submitted to the Governing Body in March 2003. The subject of youth employment and unemployment was also of interest, as was the suggestion from the Central and Eastern European countries on employment and ageing.

A Government representative of Brazil supported the revision of Convention No. 111 for standard setting. The general discussion should be on the role of the ILO in technical cooperation and, while sharing the doubts expressed by the Government representative of Germany concerning the integrated approach, it was important that follow-up should be given in 2005 to the first application of the approach at the 91st Session of the Conference in 2003. New techniques and working methods, and profound changes in labour relations in the domain made it important to accelerate studies and consultations on port work. This was especially the case in container ports, where increases in productivity required higher skills and competences in workers. The problems were compounded by a reduction in trade union activity in ports.

A Government representative of the Russian Federation said his Government's priority choice for a standard-setting item was decent work in the reconstruction of conflict-affected countries, and that it also supported a general discussion on the role of the ILO in technical cooperation. Decent jobs and productivity should be chosen as an item for general discussion based on an integrated approach, and for future Conferences the working time item should be retained because of its links to productivity and competitiveness.
A Government representative of Sudan said that the item on decent jobs and productivity should be given priority, as well as decent work in the reconstruction of conflict-affected countries. Sudan was suffering from the aftereffects of conflict itself, and it was a problem afflicting many other developing nations. A general discussion on the role of the ILO in technical cooperation would provide guidance for future ILO action.

A Government representative of Mexico wished to add the theme of the role of social dialogue in promoting decent work. Many countries had social dialogue mechanisms, and a discussion on the subject would enable a comparative analysis to be made. If this could not be included in 2005, it should be retained for a future Conference. Of the Office suggestions, decent jobs and productivity should be given priority, to reinforce the competitiveness of enterprises as well as their capacity to provide decent work. The review of Convention No. 111 was also important.

A Government representative of Belgium expressed his Government’s interest and faith in the integrated approach to get its first airing in 2003 in the field of safety and health, and in 2004 concerning migrant workers. All subjects which lent themselves to this approach were of interest. The issue of gender equality in the world of work was just such a theme, since it covered access to employment, working conditions and remuneration. Working time was another, since different systems had become so diverse and it was time to take stock of the true picture. Lastly, the theme of decent jobs and productivity was a priority, but should be viewed from the angle of work of quality, rather than of quantifiable work. The European Union had been interested in this subject for a number of years.

A Government representative of the Republic of Korea endorsed the IMEC statement and preferred the items on the possible reviewing of Convention No. 111, and on child labour and protection of children and young persons.

The Employer Vice-Chairperson reiterated his group’s support of the integrated approach. Adequate follow-up should be provided to this approach, in order to obtain a clear picture for future action, including action regarding the recommendations of the Working Party on Policy regarding the Revision of Standards. A majority of interventions had supported the inclusion of the item on technical cooperation. Many governments had felt that the ILO should widen the debate on the subject of youth employment and unemployment. Regarding the question of decent jobs and productivity, a number of governments had expressed interest. It remained important that the correct approach should be adopted, and perhaps this should be a general discussion item. The Office should provide guidance on this. Other governments had spoken for the item on gender equality, which was of great interest, but some considered it to be already covered by various sectors of the ILO. The Employers’ group considered that the Office should provide further analysis of the themes suggested, or add others for the Governing Body in March 2003. In this, the Office should work on the basis of the proposals made during the present meeting, but also undertake consultations with the groups between now and March 2003. The aim would not be simply to arrive at consensus on the choice, but to fix the most appropriate approach to the questions retained.

The Worker spokesperson recalled that the work of the ILO was to adopt standards to protect workers, and that globalization was making this more important than ever. Two or three items for standard setting should not be considered too many, and arguments concerning the weight of reporting duties, although understandable on the part of governments, should not influence decisions. The Workers’ group was committed to the integrated approach, but its precise form was yet to be seen, and the group awaited the outcome of the first experience with interest. Lastly, the group wanted the question of prevention of sexual harassment in the workplace to be retained as a future item, and shared the views of certain governments that a commitment had been made to the revision
of standards. This latter point could be expanded at the Governing Body session in March 2003.

The representative of the Director-General sympathized with the concerns expressed in the IMEC statement regarding the integrated approach, but the Office was making all efforts to ensure that the outcome of the first application of the approach in June 2003 was successful. The Governing Body would have before it in November 2003 a document analysing the follow-up to the integrated approach, including a range of possible proposals such as might emerge from the 2003 Conference. At this stage it was impossible to envisage anything concrete for the 2005 agenda, without tying the hands of the Conference. The outcome had to spring from the discussions. If the Conference decided that urgent attention was needed in a particular area, corresponding proposals could be developed.

Regarding the list of items to be proposed in March 2003, it appeared reasonable to retain all six suggestions that had been put forward, and to analyse them further, including a summary of the views expressed in the present Governing Body before each item. It would also be possible to add the item on youth employment and unemployment to the list. Discussions had already taken place on this question and it should now be considered as a general discussion item, or as an issue to be dealt with under the integrated approach. The document in March 2003 would reflect the divergent views on the revision of Convention No. 111, and further develop the item on child labour and protection of children and young persons, a field in which there were a number of instruments that required replacing.

For 2006, the item on employment and ageing would return, and would feature in the document in November 2003. Work in ports and working time would be retained, and prepared for examination on the basis of an integrated approach. The issues of prevention of sexual harassment and of social dialogue would also be subject to further research by the Office.

It was so decided.

Eighteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

The Chairperson paid tribute to the memory of Ms. Lucille Caron, who had served on the Governing Body, representing the Government of Canada for over 15 years, chairing the LILS Committee in 1985 and the Subcommittee on Multinational Enterprises from 1993 to 1995. She was committed to improving conditions in the world of work and combined the qualities of integrity and kindness with a great understanding of the ILO.

A Government representative of Canada said that Ms. Caron’s achievements in the Canadian public service were many, but that she would above all be remembered for her enthusiasm and determination as a member of the ILO Governing Body. She had been a committed champion of reform, always working to improve the structures and procedures of the ILO and the supervision of international labour standards. As an outspoken advocate of women’s rights, she had helped raise the profile of women’s issues within the Organization and pave the way for greater participation by women.

In 1991, Ms. Caron chaired the Working Party established to improve the functioning of the International Labour Conference, which introduced a number of changes

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1 See also second and seventh sittings.
implemented in 1993. Its mandate was then extended to examine improvements to the functioning of the Governing Body, many of which were introduced in 1995. She was also Chairperson of the IMEC group, and as such demonstrated remarkable leadership and dedication to the group.

To all tasks she brought a keen intellect and great attention to detail. Her skills in negotiation and her powers of gentle persuasion enabled her to foster consensus on the most difficult issues. She would be remembered as a gracious, charming and exceedingly kind person.

The Employer Vice-Chairperson echoed the words of the representative of the Government of Canada that Ms. Caron would be remembered not only for the functions she had fulfilled, but also for her personal qualities, her skills at dialogue, her sincerity and conviction and her ability to innovate to improve the functioning of the Organization.

A Worker representative of France recalled Ms. Caron's sincerity and her strong attachment to the ILO, her constant will to render the Organization more efficient, but above all her deep attachment to international labour standards and her efforts to ensure their effectiveness. Throughout her period at the ILO, she had played a determinant role in the activities of the Organization, and the Worker members of the Governing Body extended their profound condolences to her family.

A Government representative of Germany recalled that Ms. Caron was responsible for transforming the IMEC group into the coherent unit it now represented. She was also at the origin of the reduction of the duration not only of the Conference, from four to three weeks, but also of the June session of the Governing Body, from one week to one day. It was rare to encounter a person with so wide a knowledge, so total a dedication and so much humanity. He expressed his sympathy to the Government of Canada and to Ms. Caron's family.

A Government representative of the United States said that Ms. Caron had been a person of such integrity that she had commanded the respect of all three groups in the Governing Body. In cases where the groups were at loggerheads, it was more often than not an intervention from Ms. Caron which set matters to rights, resolved complex questions, and ended the debate.

The representative of the Director-General associated the Office with all the words of appreciation and regret that had been expressed at the death of Ms. Caron. He stressed the huge impact Ms. Caron had had in improving the functioning of the LILS Committee that, without her personal commitment, the ILO would not have had the whole process of review of standards-related activities and the various other improvements which were still before the Governing Body. More than anything, he recalled her spirit of cooperation.

The Governing Body adopted paragraph 5 of the report.

The sitting closed at 5.25 p.m.
SECOND SITTING

Wednesday, 20 November 2002, morning

The sitting opened at 10.50 a.m., with Lord Brett in the Chair.

Eighteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL (cont.)

The Chairperson led the tributes on the death of Mr. Pascoal Wuta M'Polo, who had served the Governing Body for a period of nine years, and had joined the staff of the ILO in 1989. He had recently been appointed focal point for the African countries of the Portuguese language (PALOP) at the ILO Regional Office in Abidjan. Mr. M’Polo had a deep commitment to the development of the African continent and a great belief in social justice.

A Government representative of South Africa, speaking on behalf of the Africa group, extended sympathy and condolences to the family of Mr. M’Polo and to the people of Angola. He would be remembered for his diligence in serving the peoples of Africa and his country.

A Worker member from Benin said that Mr. M’Polo’s death had occurred at a moment when Angola was firmly engaged on the road to peace and reconstruction. The Workers’ group greatly appreciated the contribution that Mr. M’Polo had made during his period in the Governing Body, and extended their sympathy to his family and to the Angolan people.

The Employer Vice-Chairperson expressed sorrow on behalf of the Employers’ group at the death of Mr. M’Polo, whose career within the Governing Body had been guided by a spirit of cooperation, in accordance with the values and principles of the ILO. The group requested the Director-General to transmit its sympathy to the family of Mr. M’Polo and to the Government of Angola.

The Governing Body adopted paragraph 5 of the document.

Fourth item on the agenda

DEVELOPMENTS CONCERNING THE QUESTION OF THE OBSERVANCE BY THE GOVERNMENT OF MYANMAR OF THE FORCED LABOUR CONVENTION, 1930 (NO. 29)

The Ambassador of Myanmar stressed that Myanmar was a country in transition, striving to become a modern, peaceful and prosperous democratic State. It was a multiracial society, counting 135 ethnic groups. The safeguarding of peace and stability was of paramount importance, and transition needed to be a gradual process. Given these circumstances, Myanmar had made significant progress in political, economic, social and cultural development.

1 See also first and seventh sittings.
Myanmar’s cooperation with the United Nations had developed encouragingly, with visits from the Special Rapporteur of the United Nations Commission on Human Rights on the situation of human rights in Myanmar, from 17 to 28 October 2002, the Special Envoy of the Secretary-General of the United Nations, from 12 to 15 November 2002, and an accepted invitation to the United Nations High Commissioner for Human Rights to undertake an observation mission in the country at a mutually convenient date. Progress with the ILO, thanks to the diligent efforts of the interim Liaison Officer and the permanent Liaison Officer, and the cooperation of the Government, had also been significant.

Since starting the process of dialogue and cooperation with the ILO in 2000, there had been four ILO technical cooperation missions to the country, in May and October 2000, in May 2001, and in February 2002. The ILO High-Level Team, led by Sir Ninian Stevens, visited Myanmar in September and October 2001. Further technical assistance from the ILO would help the Government to increase the welfare and living standards of the Myanmar people. The Government would welcome a technical assistance mission, to establish a plan of action, and practical projects to help eradicate forced labour in the country. Such a mission was currently under discussion, and the Ambassador, in a letter of 21 October 2002, to Mr. Tapiola, had informed the ILO of his Government’s willingness to cooperate in this connection. The Government understood that the 1999 resolution on the widespread use of forced labour in Myanmar would not prevent the Director-General from providing technical assistance aimed at stopping forced labour in the country. Hopefully, the improved situation would allow the Governing Body at its 286th Session (March 2003), to recommend to the 91st Session of the International Labour Conference to review the situation with a view to removing the measures taken under article 33 of the ILO Constitution.

The Government had put in place a comprehensive framework of legislative, executive and administrative measures, including Order No. 199 prohibiting the use of forced labour, and other orders supplementing it. Necessary directives and instructions were issued to all the ministries and departments concerned, including the Ministry of Defence, to ensure compliance with these measures. The orders were posted at local, regional and national levels, published in the Official Gazette and in the Myanmar Times, and announced by village criers in villages throughout the country. They were also being translated into three major languages used in Myanmar, and would be translated into other major languages in due course.

Two supervisory bodies oversaw the implementation of Convention No. 29: the Ministerial Committee chaired by the Minister of Labour, with the Minister of Home Affairs, the Minister for Foreign Affairs, the Chief Justice and Attorney General as members; and the Implementation Committee for Convention No. 29, chaired by the Deputy Minister of Home Affairs, and with the participation of the Deputy Minister of Labour, the Directors-General of General Administration and of the Department of Labour and of various other departments. A representative of the Office of the Inspector General of Myanmar Forces from the Ministry of Defence was shortly to join the members of this Committee, in response to a suggestion by the ILO. The Implementation Committee appointed field study teams to oversee the observance of Convention No. 29 throughout the country. In May 2001, five teams visited Rakhine State, Kayah State, Shan State and the Tanintharyi Division. From 9 to 19 September 2002, three teams, in the company of the interim Liaison Officer, again visited the Tanintharyi Division, selected by the Government as a pilot project area. The projects would subsequently be extended to other regions of the country.

Substantiated complaints of recourse to forced labour were investigated by the authorities, and offenders were punished under the law. Sir Ninian Stevens had received the list of those against whom action had been taken for offences. To obtain a true picture
of progress in Myanmar, it was necessary to view the situation in 2000 and in 2001, and compare it with that of November 2002. As the report stated, much had been done in a relatively short time, and much more could certainly be achieved, to allow Myanmar to assume the place it deserved in the international community. The Government would continue to cooperate with the ILO to this end.

The Worker spokesperson applauded the visits that various United Nations agencies had made to Myanmar, but suggested that such specially arranged, escorted visits were of limited value. Although the Ambassador’s report indicated that progress was being made, reports from other quarters were alarming, and showed that matters had in fact got worse in Myanmar. The ICFTU had reported on recent additional killings, including the assassination of a trade unionist. The Implementation Committee had responded by laying the responsibility on an insurgent group. The matter should not be simply dismissed for this reason, but a fully independent investigation should be undertaken into the killing of the trade unionist and of the workers killed in Shan State. Moreover it was a cynical approach to human rights that allowed the economic circumstances of the country to be used as an excuse for recourse to forced labour.

The Workers’ group was disappointed at the lack of progress. The absence of complaints to the Implementation Committee did not equate with the absence of atrocities. People would not come forward and report if they feared for their lives in doing so. The Committee should be given the authority to investigate allegations made, and the Liaison Officer should have the ability and independence to choose when and how to conduct inquiries, without high-level security arrangements.

The interim Liaison Officer had requested investigations to be made into complaints of forced labour in Yangon, in Rakhine State, Mon State and Kyaikto, made by locals and by Amnesty International, to be met with a response from the Minister for Labour that some areas were unsafe for civilians to visit, precluding the possibility of investigations. This was unsatisfactory, and an independent, credible and effective mechanism for investigating such allegations was essential.

Evidence of the translations into three major languages of the various orders prohibiting forced labour should be produced. The Liaison Officer should be allowed to make spot checks without prior warning, and the Government of Myanmar be bound to a time limit to rectify the situation and punish wrongdoers. The Governments present in the Governing Body and, where practical, the Employers, should call clearly on the Government of Myanmar to implement the stated ILO objectives. The Office report reflected too strongly the position of the Government of Myanmar: teenagers were not “recruited” into the army, they were kidnapped. This was in blatant contravention of the Worst Forms of Child Labour Convention, 1999 (No. 182). Any military recruitment of children was unacceptable, especially in peace time. The question of the establishment of a legal ombudsperson remained unanswered, and the group wished to persuade the Government to accept the instigation of this measure.

There was some evidence that companies were withdrawing their investments from Myanmar. This would oblige the people of Myanmar to take very serious note of events, and would raise the question of what businesses and the member States of the ILO were prepared to do to bring social justice and human rights to the country, within a reasonable time limit.

The Employer Vice-Chairperson noted that the reports gave an up-to-date account of ILO activities in Myanmar, but insufficient time had elapsed to allow an in-depth analysis of the achievements registered so far. The eradication of problems such as forced labour, which were a taint to human dignity, was a major challenge for the ILO, and in this case it was important to gauge the commitment of the Government to achieving ILO objectives.
The Ambassador of Myanmar had made what appeared to be the most categorical statement of determination to tackle forced labour thus far. However, as the Worker spokesperson had said, this statement must be followed up by action. The Liaison Officer must have the ability to check that genuine progress was being made. The plan of action, to which the Government referred, needed to be implemented to ensure that full and effective elimination of forced labour was going ahead.

The reports showed that the situation was still unsatisfactory: dialogue should be maintained, and the Office should provide guidance as to the next steps. Should an ombudsperson be established in Myanmar, what action would be taken in the field to check on activities? More information was required in this respect. The Employers' group was convinced that forced labour should cease in Myanmar, and was ready to cooperate to this end.

A Government representative of Indonesia, speaking on behalf of the ASEAN group, approved the continuation of dialogue between the ILO and the Government of Myanmar, and welcomed the political will to eliminate forced labour shown by the Government and the appointment of the ILO Liaison Officer. It was to be hoped that an ILO technical cooperation mission would visit Myanmar in the near future, and open the field for further cooperation and a programme of work involving technical cooperation projects. The 1999 Conference resolution should not impede the Director-General from using his discretion to provide technical assistance to Myanmar to assist it in its action against forced labour. It was to be hoped that this assistance would result in an improvement in the situation in Myanmar and enable the Governing Body at its 286th Session (March 2003), to recommend the International Labour Conference to review the situation and consider the possible withdrawal of the measures in place.

A Government representative of Italy, speaking on behalf of the European Union (EU), the countries of Central and Eastern Europe associated with the EU, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, and the associated countries of Cyprus, Malta and Turkey, and also Switzerland, said that the EU continued to encourage the restoration of democracy, the pursuit of national reconciliation, protection of human rights and the elimination of forced labour in Myanmar. It attached great importance to the ILO's efforts in this field. At the 91st Session of the International Labour Conference, the EU had called on the Myanmar authorities to take urgent and sustained action to eradicate forced labour. The report showed that insufficient action had been taken and suggested that the authorities did not acknowledge the immediacy and scale of the problem.

Conditions of dialogue had however been substantially improved by the appointment of a permanent Liaison Officer. The Officer must be given all required support, freedom to operate and cooperation from the authorities, since the delays she was encountering were worrying. It was also of concern that the recommendations of the 2001 High-Level Team had not yet been implemented in Myanmar. In particular, the authorities should take concrete action to disseminate orders banning forced labour in all appropriate languages, including major ethnic languages; conduct a credible investigation into the deaths of the Shan villagers; establish an ombudsperson institution as a means of independent mediation and legal recourse; present additional budgetary provision for labour costs, legal action and prosecution of offenders; establish contact between the ILO and the armed forces on issues related to forced labour. The situation should be closely monitored between the present meeting and the next session in March 2003.

A Government representative of New Zealand, also speaking on behalf of Australia, welcomed the appointment of the Liaison Officer, and also the imminent technical cooperation mission to Myanmar. This mission should lead to a plan of work allowing
concrete progress towards the eradication of forced labour, ideally including verifiable performance indicators and an agreed time frame.

Two and a half years had passed since the resolution adopted by the 87th Session of the ILC, and the rate of progress was disappointing. It was not clear whether efforts so far had led to individuals in Myanmar being able to avoid forced labour. The Government should redouble its efforts and implement the recommendations of the High-Level Team. The ILO and the Government should work closely together to be able to present the text of the plan of work to the 286th Session (March 2003) of the Governing Body and present evidence of the plan being put into effect. Appropriate technical assistance should be provided within the terms of the resolutions adopted by the ILC in 1999 and 2000.

A Government representative of Norway said his Government welcomed the resumption of contacts between the ILO and the Government of Myanmar and the opening of an ILO Liaison Office in Rangoon. This Office should be given full freedom of movement and the required cooperation by all authorities, including the military. Norway shared the concern for conditions in the labour camps and for the factory workers in Myanmar voiced by Aung San Suu Kyi when she met with the ILO in the spring of 2002. It was now of critical importance that the practice of forced labour be brought to an end, especially within the military. The Government should take urgent steps to develop a plan of action in cooperation with the ILO to eliminate forced labour; systematically disseminate orders banning forced labour, translated into the relevant languages; conduct an independent investigation into the allegations of the deaths of the Shan villagers and establish an ombudsperson institution to ensure a credible system of investigation and a contact point for filing allegations of forced labour. The Government should follow up the idea of a pilot project undertaken with ILO technical cooperation to address forced labour in direct and indirect ways, in a field of ILO expertise, such as labour-based technologies in the construction of rural infrastructure.

A Government representative of Bangladesh said there had been positive developments in Myanmar. The appointment of the permanent Liaison Officer and the interim Liaison Officer’s field trip, as well as the decision by the Government to accept an ILO technical cooperation mission, were all elements that would encourage future cooperation in eradicating forced labour, and showed the Government’s genuine political will to make progress. The 91st Session of the ILC should review the situation with a view to removing the measures taken against Myanmar.

A Government representative of Mexico noted that the report showed that the Liaison Officer had already made contact with high-level government officials to put together a plan of action encompassing technical cooperation by the ILO, and had begun field visits to obtain a picture of the real situation. Technical cooperation had a valuable role to play and it was to be hoped that the next mission would result in a plan of action allowing concrete progress. If the Government continued to work with the ILO towards the effective implementation of Convention No. 29, it would soon be possible to consider lifting the measures taken under article 33 of the ILO Constitution against Myanmar.

A Government representative of the Libyan Arab Jamahiriya said that the Government of Myanmar had taken very positive legislative and administrative steps to eradicate forced labour and was cooperating closely with the ILO in accepting missions and in the establishment of the Liaison Office in Rangoon. The statement by the Ambassador of Myanmar also showed that the Government was acting with genuine political will. The ILO should continue to provide technical cooperation, and at the 286th Session (March 2003) of the Governing Body, a decision could be taken as to recommending to the Conference in June 2003 to review the measures taken under article 33 of the ILO Constitution in respect of Myanmar.
A Government representative of China said that the actions of the Government of Myanmar, and the progress made, showed that it had a true political will to eradicate forced labour. The Government of China had always maintained that this eradication could not be achieved through sanctions, but through dialogue and the provision of technical assistance and training. The idea of a pilot project for labour-based technologies in the development of rural infrastructure should be implemented at an early date; the Office should prepare programmes similar to those under the special technical cooperation programme for Colombia, funded from the budget surplus, to help Myanmar further. It was to be hoped that the 286th Session of the Governing Body would be able to recommend to the 91st Session of the ILC that it consider the removal of the measures taken against Myanmar.

A Government representative of Lithuania noted the political will displayed by the Government of Myanmar, but said that further concrete action was still required. Progress would depend on close cooperation with the ILO and through the Liaison Officer, who should be accorded all the required support.

A Government representative of Pakistan welcomed the political will displayed by the Government of Myanmar and the continued engagement of the ILO to eradicate forced labour in Myanmar. The Government of Pakistan appreciated the appointment of a permanent Liaison Officer and noted that a technical cooperation mission was mooted. The Director-General should use his discretion in providing technical assistance to help eradicate forced labour. However, the correct approach to the problem was not based on sanctions, but on cooperation and dialogue. This should be strengthened, and the ILO should review the situation with a view to the removal of all the article 33 measures imposed.

A Government representative of Japan said the Government of Myanmar should take steps in response to the recommendations of the Commission of Inquiry. The Liaison Officer would be able to work to this end and, with the support and cooperation of the Government, encourage the authorities in their efforts to eradicate forced labour. It was understood that the Director-General could negotiate with and provide technical assistance to Myanmar to assist the Government in implementing the recommendations of the Commission of Inquiry. The Organization should therefore continue to work with the Government to this end, through the implementation of a mutually agreed plan of action.

A Government representative of the United States was encouraged by the Government of Myanmar’s willingness to meet at senior levels with ILO officials and allow them to travel in the country. The next step was the development of a coherent plan of action capable of making concrete, verifiable progress towards the eradication of forced labour in Myanmar. The ILO had proposed sending a mission to Rangoon to help in drawing up this plan, and it was to be hoped that the plan could be prepared in time for the Governing Body to review it in March 2003. It remained that the advances made, however welcome, were largely procedural. Evidence showed the continued existence of forced labour, and impunity of those responsible for it, particularly the military. Until the full implementation of the recommendations of the Commission of Inquiry, there could be no question of the removal of the article 33 sanctions.

A Government representative of India recalled that India had from the outset supported a promotional approach by the ILO, rather than the imposition of sanctions. The Organization’s aims could be better achieved through positive dialogue, cooperation and technical assistance. The proposed pilot project was an example of such cooperation and assistance and should be encouraged. The reports showed that the dialogue and cooperation were beginning to bear fruit.
A Government representative of the Russian Federation noted that cooperation between the ILO and the Government of Myanmar was developing successfully. Forced labour had existed in Myanmar for many years, and would take a long time and much work to eradicate completely. However, a spirit of understanding was apparent on both sides, and it might prove possible at the 286th Session of the Governing Body to view the Myanmar question in a more positive light.

A Government representative of South Africa welcomed the appointment of a permanent Liaison Officer in Myanmar, who should be given all the support necessary by the authorities to ensure the prompt elimination of forced labour. The proposal by the Director-General to provide technical assistance to Myanmar in elaborating a plan of action against forced labour had the South African Government’s full support. Such a plan should include an effective means of responding to allegations of forced labour. While the Government had taken swift action in dismissing the army officer responsible for the recruitment of teenagers to act as porters, it was worrying to read in the report that the teenagers had not been recruited as porters, but “to the army”, as soldiers. Continued cooperation should show greater progress, and the next report should contain yet more positive developments, especially regarding the investigation of the military in Myanmar.

A Government representative of Korea, Government Vice-Chairperson, said his Government believed that the appointment of a permanent Liaison Officer was a clear step forward in combating forced labour in Myanmar. The Government of Myanmar should provide full support and allow full freedom of movement to the Officer and her staff, and respond credibly and effectively to Liaison Office recommendations. The collaboration between the ILO and the Myanmar Government should result in a coherent plan of action including technical assistance. The proposed technical assistance mission should be undertaken shortly, unhindered by the resolution adopted at the 87th Session of the ILC imposing sanctions on Myanmar.

A Government representative of Canada said the appointment of an ILO Liaison Officer was an important step towards the establishment of a full and effective ILO presence in the country. The Liaison Officer should be granted full freedom of movement and access, including to the National League for Democracy (NLD), to ethnic nationalities, to border areas and to the army. Forced labour remained a very serious issue in Myanmar, which the Government must solve if they wished to discharge their international obligations and become a modern, democratic society. A credible and effective response to allegations of forced labour was required. These allegations mostly concerned the army, and the Liaison Officer should have regular contact with the military at senior levels to solve this problem. It was therefore positive that senior military representatives were to be included on the Implementation Committee. At present the Committee had no authority to investigate allegations concerning the army, calling into question the complaint mechanism. The fact that few complaints had been received ran contrary to the perceived situation on the ground. An independent mechanism, such as an ombudsperson, should be established and perpetrators of forced labour prosecuted and punished: Canada was still awaiting the results of an independent investigation into the killing of seven villagers in Shan State in July 2001. Myanmar should enhance its cooperation with the ILO and develop an integrated and coherent plan of action with clear time frames. Given the lack of meaningful progress, the measures under article 33 of the ILO Constitution should remain in place.

The representative of the Director-General clarified three points: the reports before the Governing Body were not intended to present an evaluation of the situation in Myanmar. The interim Liaison Officer’s field trip to Tanintharyi Division had not been to investigate allegations, but to gain an impression of the root causes of forced labour, and explore possibilities for ILO assistance. On the question of the forced recruitment of
children into the army, the Liaison Officer had requested a meeting with the Implementation Committee, and the ILO had offered to work on this issue with UNICEF.

The Employer Vice-Chairperson said the debate had clarified the direction that the Organization should take in its future relations with Myanmar to achieve full respect of Convention No. 29 in that country. There was a need for a coherent plan of action; a mechanism to respond to and act on allegations of forced labour, possibly in the form of an ombudsperson; and a system to monitor the existence or eradication of forced labour. The Government of Myanmar must confirm its political will to eradicate forced labour by taking convincing measures. It was to be hoped that the report to the 286th Session of the Governing Body would contain evidence of concrete progress. If such was not the case, there was no question of requesting the Conference to remove the measures applied under article 33 of the ILO Constitution.

The Worker spokesperson said that notwithstanding the work done, atrocities were still being committed. The Government was not addressing the central aspects of the resolution. Recruiting children into the army was no better than kidnapping children to work as porters. The Government of Myanmar should return in March with evidence of sufficient action before the ILO engaged in technical cooperation. However, the resolution made it clear the Director-General could use his discretion in providing technical assistance to carry through the terms of the resolution. The Government had asked for such assistance to help it comply with its obligations. At present, the situation had not changed and the sanctions imposed under article 33 of the ILO Constitution should be maintained.

The Chairperson summarized the views of the Governing Body. The action required of the Government of Myanmar was the eradication of forced labour, the prosecution of those responsible for imposing force labour and the necessary alterations to the legal process to allow such prosecutions. The words of the Government were welcome, but evidence of concrete action was needed before serious consideration could be given to removing the sanctions imposed on Myanmar under article 33 of the ILO Constitution. The sentiments of the Governing Body should be conveyed to the Government of Myanmar in written form. The Government had stated its willingness to receive an ILO technical assistance mission. It should be clear that the purpose of this mission, if it took place, would be to finalize agreement on a comprehensive plan of action for the effective eradication of forced labour, taking account of the High-Level Team’s recommendations. This would involve the establishment of a credible mechanism for the investigation of allegations. The 1999 resolution allowed the Director-General discretion to provide such technical assistance. The 286th Session (March 2003) of the Governing Body would assess the progress that had been achieved by the Government, and decide whether it was sufficient to consider the lifting of the sanctions imposed.

The sitting closed at 12.50 p.m.
THIRD SITTING

Wednesday, 20 November 2002, afternoon

The sitting opened at 3:45 p.m., with Lord Brett in the Chair.

Fifth item on the agenda

SPECIAL TECHNICAL COOPERATION PROGRAMME FOR COLOMBIA

The Regional Director for the Americas stated that since the inception of the special technical cooperation programme for Colombia, the Office had devoted major efforts to developing activities, holding consultations and negotiations with the social partners and the Government, and seeking to obtain extra-budgetary resources. Activities began in the second half of 2001, but violence still prevailed, in particular against trade unions, and impunity remained a feature of the judicial investigations into these attacks. The programme continued to develop activities, first, to safeguard the lives and physical integrity of those involved in trade union activities, and second, to promote freedom of association and collective bargaining. The programme also continued to assist the social partners and the Government in strengthening mechanisms of social dialogue and agreement among the parties and improve the working and living conditions of workers.

Funds from the 2000-01 ILO budget surplus would be used to promote freedom of association and social dialogue as called for under ILO Conventions, and to provide protection. Resources had been earmarked to co-finance temporary asylum programmes for trade union activists and leaders. An agreement had been signed with the American Federation of Labor – Congress Industrial Organizations (AFL-CIO) Solidarity Center for the training abroad of trade unionists and, in some cases, their family members who were the subject of threats or attacks. There had been cooperation with the national secretariat of the Colombian Episcopal Conference to send those who had been threatened and in some cases their family members as well, to live abroad temporarily in countries of Latin America, where training courses were also available. The ILO had received support from the Trade Union Congress of the United Kingdom for the same purposes and the Director-General had decided to direct US$520,000 from the 2000-01 budget surplus to begin these protection programmes. The Colombian trade union movement had been informed of these activities. The two trade union confederations wished to review the way in which the resources were allocated, as well as the organization of the protection programmes.

Since February 2002, a programme financed by the United States Department of Labor had been in operation. It sought to improve labour relations. The campaign to promote fundamental labour rights and principles had progressed but the Government needed to adopt further legislation to facilitate the full implementation of Conventions Nos. 87, 98, 151 and 154.

It was important that the Government continued to support the work of the tripartite committee established in 2000 to handle conflicts brought before the ILO. ILO technical cooperation and assistance to Colombia were essential, but could not replace national capacities or political will to engage in dialogue. The programme could only move forward
with the firm support and commitment of the Colombian Government, the social partners
and those member States who had supported it.

The Worker spokesperson said 139 trade unionists had been murdered in the first ten
months of 2002 alone. The Government had been unable to stem the violence. There was
an urgent need to improve the protection of trade unionists and take vigorous action
against impunity, the main reason underlying the violence. The Government must
appreciate the grave concerns voiced. The ILO efforts to establish conditions to guarantee
the right to life and safety of trade union officials were useful, and the Workers' group
welcomed the use of part of the budget surplus to finance Project Colombia and the
conclusion of agreements with ongoing programmes such as those with the Colombian
Episcopal Conference, the AFL-CIO and the TUC. The Colombian unions should always
have a proactive partnership role to play in this. The Office should implement the second
component of Project Colombia on freedom of association and the right to organize and to
bargain collectively, bearing in mind the difficult situation of workers in the public sector.

The Special Committee for the Handling of Conflicts was not a substitute for the
Committee on Freedom of Association, and had so far been unable to deal with any of the
recommendations of the Committee on Freedom of Association. The Office therefore
needed to strengthen the third component of the programme: the promotion of social
dialogue and of trust between the social partners and the Government. It was critical that
donors came forward to support the programme, especially in the areas of human and trade
union rights and the right to life.

The Employer Vice-Chairperson said the technical cooperation programme had
yielded some benefits but could provide a great deal more. Violence affected employers as
well as workers. Action in the field of social dialogue was far from satisfactory,
and without progress in this area there could be no improvement in the situation. The ILO had
committed itself to carry out work in the field, but efforts should be redoubled, giving
greater priority to social dialogue. As the Worker spokesperson had said, it was regrettable
that the Special Committee for the Handling of Conflicts had so far achieved virtually
nothing. The Office, in the next report, should concentrate more on social dialogue and
particularly on the functioning of this Committee. The report should provide the Governing
Body with a clear analysis of improvements or with reasons for the lack of progress. The
ILO could be most effective in the field of technical cooperation but required the backing
of the Colombian Government in this. By his presence today, the Vice-President of
Colombia had shown his Government's support for ILO action, and it was to be hoped that
this support would be backed up by action in the country itself.

A Government representative of Italy, speaking on behalf of the European Union, the
Central and Eastern European countries associated with the European Union, Bulgaria, the
Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and
Slovenia; the associated countries: Cyprus, Malta and Turkey; and Norway and
Switzerland said the EU was following the implementation of the special programme
closely and trusted it would be intensified. Killings and violations of human rights were
rife but nobody had yet been brought to justice. The Colombian authorities should take
every possible measure to remedy this situation of impunity, in line with the
recommendations of the Committee on Freedom of Association in its June 2002 report.
The new Colombian Government should take effective measures to safeguard trade union
leaders' rights, particularly through the implementation of relevant ILO instruments. The
Government should enhance the effectiveness of the Colombian Interior Ministry's
protection programme, and press ahead with the social and economic reforms needed to
improve the situation.

A Government representative of Argentina, speaking on behalf of the Group of Latin
American and Caribbean States (GRULAC), was confident that the fundamental objectives
of the programme would be achieved. It was appropriate that the 2000-01 budget surplus should be used to finance Project Colombia, and the international community should cooperate financially for the construction of peace in the country.

A Government representative of Indonesia supported the programme, but noted that progress needed to be monitored closely and regularly in order to develop programmes to match the needs and the hopes of the Colombian people.

A Government representative of Venezuela endorsed the GRULAC statement and appreciated the efforts made by the Government of Colombia and its readiness to cooperate fully to guarantee the success of the programme. The Government of Venezuela supported the ILO’s efforts to finance components two and three appropriately. The best way forward was through dialogue, conciliation and achieving stable and lasting solutions based on the application of the programme. No new machinery, distinct from cooperation and technical assistance, should be created.

A Government representative of Canada appreciated the presence of Colombian Vice-President Santos, a sign of the Government’s commitment to cooperation with the ILO in the promotion and the protection of workers’ rights. An end to impunity was crucial, with paramilitary groups a particular focus for effort, as they bore a heavy share of responsibility. The allocation from the budget surplus of additional funding for the special technical cooperation programme was positive and the Director-General should give high priority to its implementation. The Government should cooperate fully with the ILO to strengthen freedom of association and sustain social dialogue. Colombian labour legislation should be brought into alignment with international labour standards.

A Government representative of Ecuador endorsed the GRULAC statement. The approved budgetary proposals for the special technical cooperation programme for Colombia was a positive step, and should enable the programme to achieve its aims.

A Government representative of the United States said that the $520,000 in surplus funds for the programme and the additional $385,000 earmarked were needed more than ever; violence against the Colombian trade unionists continued unabated and the very existence of the unions was threatened. The Committee on Freedom of Association had noted the intolerable situation of impunity that prevailed in Colombia and which contributed in large measure to the wave of violence. When the special technical cooperation programme was reviewed in June, the Office reported that consultations had been held for the purpose of designing a training programme for judges and prosecutors to try to deal with this situation and the Government and the social partners had been sent the report of these consultations. The training plans submitted were to have been implemented through the special technical cooperation programme. However, the present report made no mention of this initiative: what was the outcome of these efforts? The presence of a high-level Colombian Government delegation indicated the seriousness with which they viewed the problem and their commitment to working with the ILO to try to resolve it. The ILO should reciprocate by continuing to carry out the special programme with all the resources at its disposal.

A Government representative of the Dominican Republic supported the GRULAC statement as regards strengthening the programme for Colombia, and applauded efforts by Colombian employers to strengthen labour institutions. In the experience of the Dominican Republic, social dialogue was the fundamental basis on which to achieve social and labour peace. The strengthening of freedom of association and collective bargaining was also an extremely important element allowing governments, workers and employers to reach agreement through negotiations. The resources required to allow the programme to continue should be made available.
A Government representative of India shared the deep concern at the unabated violence faced by trade union leaders and members in Colombia and supported the activities carried out by the ILO. The new Government of Colombia should be allowed a reasonable opportunity to put in place measures that could significantly improve the situation.

A Government representative of Brazil supported the GRULAC statement and the allocation of ILO resources from the 2000-01 budget surplus. The Government of Colombia should be aided, through cooperation, in strengthening its institutions and seeking conciliation. The projects and various activities now had sufficient funding for initial implementation, and would certainly help develop labour relations and strengthen the democratic institutions in Colombia.

A Government representative of El Salvador supported the GRULAC statement. The special technical cooperation programme for Colombia was the ILO's main instrument to assist in overcoming the problems in Colombia.

A Government representative of Mexico supported the GRULAC statement; the decision to assign greater resources from the budget surplus to the programme was commendable.

The Regional Director for the Americas assured the meeting that the ILO would continue to make every effort to support the programme and that all views would be taken into account, especially as regards freedom of association, social dialogue and the right to life. The programme was devoted to the entire Colombian trade union movement, involving the three major confederations, the CGTD, CUT and CTC.

The Vice-President of Colombia explained that his presence in the Governing Body was an expression by Colombia of a willingness to work at the highest political level to ensure protection of labour rights. Not just workers, but all Colombians were victims of the appalling state of affairs in the country. The Government's top priority was to restore security and ensure that freedom and justice could be enjoyed. The Government aimed to extend the presence of institutions throughout the country, particularly in those areas which had been without it for decades. The rule of law must prevail. The Government was working with the United Nations, the Government of Cuba and the Catholic Church, exploring avenues of dialogue which would demonstrate that ideas were stronger than guns.

The Colombian Government would not risk its legitimacy to obtain security: it sought reconciliation, not pacification. All violations of human rights, would be punished without hesitation and exception. This action was directed against lawbreakers, not against critics.

In order to achieve this policy of democratic security, the Government had to adopt exceptional and controversial measures. It did so within the Constitution, with strict respect for procedure, and in accordance with international treaties and Colombian law. The Constitutional Court backed the legitimacy of the action, and its necessity, as did the National Congress. There had been no denunciations against the armed forces for human rights violations since this policy had been introduced. Bombings had fallen by 78 per cent, kidnappings by 25 per cent and confidence was growing. The international community had acknowledged the legitimacy of the Colombian State, and of the measures taken to protect the population and democratic institutions. The Government was maintaining a space for representatives of organizations and governments to look critically at the current reality, and had extended the presence of the High Commissioner for Human Rights in Colombia for a period of four years, whereas previously this had been granted on an annual basis. This showed clear commitment to international cooperation.
Regarding the Committee on Freedom of Association Case No. 1787, the Government fully accepted that freedom of association could only be exercised in conditions in which fundamental human rights were respected. It was deeply regrettable that 948 trade union members or leaders had been assassinated between 1991 and 2000. The figures in the consolidated list of victims of that period had been submitted to the plenary session of the Inter-Institutional Commission for Human Rights in the presence of Dr. Rafael Alburquerque, the special representative of the Director-General of the ILO. The Government had subsequently given the Office the list of 112 assassinations referred to by the CUT. Colombia had therefore complied with the Committee on Freedom of Association's stipulations. The Ministry of Labour would, on its own initiative, supply the consolidated list of victims for the 2001-02 period by the end of March 2003. These actions were all indications of the Government's commitment in the face of an unprecedented fiscal crisis, and in spite of critically short resources to comply with the recommendations of the Committee on Freedom of Association. However, genuine terrorist organizations were among the perpetrators and often it was extremely difficult to identify those actually behind the crimes.

On 4 December 2002, a special commission for dealing with serious violations of human rights was to be set up by the Ministry of Justice, the Public Prosecutor and the Attorney-General. A priority basis would be established for cases and programmes to protect witnesses, victims and legal authorities, and the policy to combat impunity would be strengthened. Special commissions of the Attorney-General were at work in the department of Culca. They had captured 12 members of the paramilitaries. Before the end of the year, similar commissions would be sent to the regions of Uruba and the north of Antioquia.

The coverage of the protection programme had increased, particularly as regards trade unionists and trade union leaders: in 1999, 84 trade unionists and trade union leaders were protected; in the year 2000, 375; and in 2001 the figure went up to 1,043. Currently, 2,666 people received some degree of protection. The protection programme was one of the most significant efforts Colombia had made to protect its defenders of human rights. Understanding was required of the international community, and above all, assistance.

The Government had implemented a 160 per cent budget increase for 2002 for the protection programme. The authorities at all levels were committed to the protection of trade union activities, to stimulating dialogue between workers and employers and the state and to promoting respect for trade union activities.

The Government had been obliged to apply adjustment measures to repair the damage perpetrated by corrupt and irresponsible administrators, which had thrown the State into a fiscal crisis of serious proportions. The ILO should stimulate policies of socially responsible globalization and a shared responsibility of developed countries in obtaining economic rights for all. The trade union movement of Colombia needed to approach these problems creatively with a constructive spirit. Consultation based on realism was required. The Government for its part had ensured that the work stoppages of 16 September, 30 October and 14 November 2002 had passed off peacefully.

The magnitude and nature of Colombia's problems were now clear to the ILO and no further research was needed. However, it was necessary to adopt measures which would strengthen the social partners, give an impetus to social dialogue and improve labour relations.

The Government had convened a meeting of the Special Committee for the Handling of Conflicts referred to the ILO, to study on a tripartite basis, complaints submitted to it for consideration by state bodies, trade union organizations, employers' organizations and others connected with freedom of association. The presence of members of the Committee
on Freedom of Association in this and other meetings would be beneficial. In September, a meeting of the Intersectoral Commission for Human Rights of Workers was held with the Minister of Labour and Social Security, the Minister of Defence, the Minister of the Interior, the Public Prosecutor, the Ombudsman and the Attorney-General. With the participation of workers and employers, a proposed plan of work for 2003 was put forward and should be adopted definitively on 26 November 2002. This plan included the provision of financial resources to guarantee the promotion and protection of workers’ human rights.

The establishment of a climate where social dialogue was possible was essential. Within the special technical cooperation programme for Colombia, there were different areas where developments were expected and national funds had been made available. The Director of the Multidisciplinary Advisory Team from Lima had been invited to a meeting in Bogotá to identify the areas, which included the financing of the Special Commission for the Handling of Conflicts referred to the ILO. The speaker invited governments to support Project Colombia and the other components of the special programme of cooperation.

The Government was pleased to announce that Colombia would ratify the Worst Forms of Child Labour Convention, 1999 (No. 182). The Office had been asked to provide assistance to identify and overcome legislative discrepancies that might arise as a result of its ratification. The Government would ask the ILO Training Centre in Turin to design a programme for training in social dialogue aimed at workers, employers and the authorities. The ILO had demonstrated that cooperation provided a solution to problems. The Government would continue to make all possible efforts to guarantee human rights and freedom for its citizens.

The Employer Vice-Chairperson stressed the need to expand social dialogue and noted with pleasure that the Special Committee for the Handling of Conflicts referred to the ILO was to be convened. It could serve not only to clarify and explain but also to prevent. It was to be hoped that the new Government would be able to give clear news of progress in March.

The Worker spokesperson believed that the international community should give a clear and strong message to the new administration in Colombia, a statement recognizing the importance of technical cooperation and stressing that the ILO would use every influence at its disposal to bring to an end the barbarity, human suffering and denial of human rights and human freedoms that currently existed in the country.

The Governing Body took note of the report.

Ninth item on the agenda

329TH REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

The Reporter of the Committee noted that the report contained 102 cases, a 20 per cent increase over 2001. Thirty-one cases were examined on their merits, many of them complex, thus giving rise to a particularly long report. The Committee again requested that the important issues, as well as the serious and urgent cases, be given adequate publicity by the Office.

In cases concerning Argentina, Georgia and Peru, the Committee observed that despite the time which had elapsed since the submission of these complaints, it had not yet

1 See also fourth sitting.
received the complete observations of the Government concerned; these should be transmitted as a matter of urgency. The Committee was once again obliged to draw the special attention of the Governing Body to the cases of Colombia (Case No. 1787), Belarus (Case No. 2090), Venezuela (Case No. 2154), Zimbabwe (Case No. 2184) and Ecuador (Case No. 2201), on account of the extreme seriousness and the urgency of the issues raised.

The Committee examined 37 cases in which the governments had kept it informed of the measures taken to give effect to its recommendations. It noted with satisfaction or interest the positive developments in the cases of Brazil (Case No. 1992), Bulgaria (Case No. 1989) and Costa Rica (Case No. 2104). In the cases of El Salvador (Cases Nos. 1987 and 2085), Mauritius (Case No. 2009), and Peru (Case No. 2076), the recommendations of the Committee and the Governing Body had been mainly fulfilled.

Some follow-up cases still gave rise to serious concern. First, in the case of Cameroon (Case No. 1995), Mr. Olongo, formerly staff delegate, dismissed for his trade union activities in 1988, had still not been reinstated or received compensation 14 years later. In the case of Gabon (Case No. 1978), the Committee deplored the fact that more than five years had passed since the dismissal of the workers at the SOCOFI enterprise in connection with their strike action, but they were still awaiting the court’s decision. Justice delayed was justice denied.

In the cases of Guatemala (Cases Nos. 2107 and 2050), the allegations included murders, aggressions, threats and anti-union discrimination in non-compliance with a judicial order. The Committee expressed its deep concern in this respect: a free and independent trade union movement could only develop in a climate free from violence. The Government should guarantee security to all threatened trade unionists.

In the case of Pakistan (Case No. 2006), in 2000 the Committee had recommended that the Government lift its ban on trade union activities at the Karachi Electric Supply Corporation and restore the rights of the KESC Democratic Mazdoor Union as collective bargaining agent without delay. This had not yet been done and the Committee therefore once again urged the Government to restore trade union rights to the KESC union.

In the very serious case of Belarus (Case No. 2090), concerning government interference in the activities, elections and functioning of trade unions, and the trade union movement as a whole, the Committee had yet again drawn interim conclusions, and there was deep alarm that no progress had been made towards the implementation of its recommendations and, in fact, a serious deterioration in respect of trade union rights in the country had been observed. The Committee particularly condemned what appeared to be a manipulation of the trade union movement through the issuance of Decree No. 1804 in December 2001 terminating check-off facilities and their restoration by further decree in October 2002, once the leadership of the Federation of Trade Unions of Belarus had changed. As regards the recent elections of the President of the Federation of Trade Unions of Belarus (who was former Deputy Head of the Presidential Administration), as well as those in some other branch and regional trade unions, the Committee urged the Government to immediately institute an independent investigation into the allegations relating to government interference, with the aim of rectifying any effects of its interference including, if necessary, the holding of new elections in circumstances where an independent body with the confidence of the workers concerned could ensure that there would be no interference, pressure or intimidation by the public authorities. Finally, the Committee regretted that certain declarations in the speech of the President of Belarus to the Congress of the Federation of Trade Unions of Belarus in September 2002 represented a clear attempt to transform the trade union movement into an instrument for the pursuance of political aims, and urged the Government to refrain from such action in future so that the trade union movement of Belarus might act in full freedom and independence. The
Committee requested its Chairperson, as on previous occasions, to make special contacts with the government representatives of Belarus in order to express its serious concern over the issues at hand in this case.

Regarding Bosnia and Herzegovina (Case No. 2140), this complaint, presented both by the employers of the Federation of Bosnia and Herzegovina and the Employers' Confederation of Republica Srpska, concerned obstacles to the registration of employers' confederations and the exercise of their right to collective bargaining. The Government had not sent its observations and the Committee had therefore proceeded with its examination without this information. Observing that the current legislation deprived employers and their organizations of the fundamental right to establish occupational organizations of their own choosing, the Committee requested the Government to initiate discussions with the complainants as soon as possible with a view to finalizing the registration process in respect of their organizations and of the Employers' Confederation of the Republic of Bosnia and Herzegovina in conditions conducive to the full and free development of their activities as employers' organizations. It further requested the Government to take all necessary measures urgently to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers and their organizations and workers' organizations. In Case No. 2133 concerning the former Yugoslav Republic of Macedonia, the Committee had asked for full respect of the right of employers' organizations to freedom of association and also for machinery for voluntary negotiation between workers' and employers' representatives.

Case No. 1787 concerning Colombia, was among the most serious and urgent of the cases before the Committee, which it had examined on numerous occasions since 1995. It was obliged to note with deep concern that the new reports of murders, attempted murders, abductions and threats showed that the situation of violence in Colombia continued to be extremely serious. Even the Government, in its reply, had indicated that the situation was deteriorating rather than improving.

Since the last examination of the case in June 2002, 45 murders, 37 abductions and nine attempted murders had been reported to the Committee. While taking account of the information provided by the Government on measures taken to eradicate this violence, the Committee observed that the measures adopted were insufficient to put an end to or reduce the violence, and no convictions for the murder of trade unionists had been made. The Government should do everything in its power to achieve verifiable results in dismantling the paramilitary groups and other violent revolutionary groups and take the necessary steps to put an end to the intolerable situation of impunity. The Committee recommended that the Governing Body consider the possibility of transmitting the matters concerning Colombia, which were before the Committee on Freedom of Association, to the Fact-Finding and Conciliation Commission.

The case of Ecuador (Case No. 2201), in which there were serious allegations of violations of the right to strike, including the invasion of plantations by hundreds of armed and hooded men who had wounded 12 workers (two seriously) and harassed female workers, was considered especially serious and urgent. The complainants' emphasized that the employers were responsible for these actions. Certain steps had already been taken by the Government, but the Committee urged it to ensure that an investigation and legal proceedings be commenced immediately.

In Cases Nos. 2177 and 2183 regarding Japan's reform of the public service law, the Committee urged the Government to amend its legislation so that fire defence personnel and prison staff might set up organizations of their own choosing. As concerned the general prohibition of the right to strike for public employees, the Government should reconsider its intention to maintain this blanket strike interdiction and the Committee requested it to amend its legislation to bring it into conformity with freedom of association.
principles in this respect. The Committee recalled that public servants, with the possible exception of the armed forces, the police and public servants directly engaged in the administration of the State, should enjoy the right to collective bargaining, and requested the Government to bring its legislation into conformity with these principles. Full, frank and meaningful consultations should be held soon with all parties concerned on the rationale and substance of the public service reform to obtain a wider consensus on the subject, with a view to amending the legislation and bringing it into conformity with freedom of association principles. ILO technical assistance was available if called for.

Venezuela (Case No. 2154) and Zimbabwe (Case No. 2184) were serious and urgent cases and it was absolutely necessary that these two Governments listened to the recommendations of the Committee in order to improve the situation.

An Employer member from Australia, speaking on behalf of the Employers’ group supported adoption of the report and the Committee’s decision concerning Mexico to declare a particular complaint to be non-receivable.

In Venezuela (Case No. 2154), the situation was deteriorating and the Government had failed to reply substantively to the Committee. However, the employers were satisfied with the outcome of two employer complaints. The first concerned the Employers’ Federation of Bosnia and Herzegovina and its inability to secure registration under current legislation, and the Government’s failure to consult with it. The Committee had recommended that the Government amend its legislation to allow such registration, and had made other appropriate recommendations mentioned by the Reporter. The second case concerned the Union of Employers of Macedonia and its similar inability to obtain registration in the former Yugoslav Republic of Macedonia. Again, the Committee had recommended that the Government amend its legislation so as to permit registration. It was regrettable that both cases had to be concluded without a reply by the Government concerned.

The case of Chile (Case No. 2172) concerned a complex dispute in the airline industry and a government response which the employers regarded as highly prejudicial, since there was a failure to obtain the views of the employers concerned. The Committee noted the lack of information before it and decided to ask the Government to obtain and transmit the views of the National Employer Organization and, through it, the views of the enterprise concerned. The Committee presented an interim report and would re-examine the case.

In the six cases concerning Colombia, the Committee had made appropriate recommendations asking the Government to take certain actions and to supply further information. The major case was Case No. 1787, one of the oldest cases now before the Committee, which it had already examined on 11 occasions. Here, the Committee had taken the unusual, additional step of suggesting the possibility of a fact-finding and conciliation commission to deal with the various complaints before it. The employers’ views on this matter would be expressed when the Governing Body discussed it.

In Japan (Cases Nos. 2177 and 2183), the position was simply that the majority of public servants did not have the right to organize or the right to bargain collectively. The Government had undertaken a comprehensive programme of reform but did not propose to make significant changes in these respects. The Committee had asked the Government to reconsider its intentions and made a number of appropriate recommendations. The employers, in particular, endorsed the Committee’s call for further consultations to take place in order to attempt to obtain consensus on an agreed approach.

In the case of the Philippines (Case No. 2195), the dispute involved an airline pilots’ association which had commenced a strike without undertaking a ballot as required by
legislation. The texts also allowed the President of the Philippines to declare an industry to be indispensable to the national interest and the Secretary of Labour to declare a strike or lockout in that industry to be illegal. This had happened in this case. The Committee of Experts had already decided that these legislative provisions were excessive and adopted the view that disputes may be brought to an end only in the following circumstances: where there was a clear and immediate threat to the life, personal safety or health of the whole or part of the population. The employers found this approach to be old-fashioned and out of step with the requirements of modern economies and the way collective bargaining operated.

When collective bargaining failed, there must ultimately be mechanisms available to bring a dispute to an end if it was having serious effects on the community or the economy. Many countries had such mechanisms although the modalities differed widely. The employers were concerned that the approach taken by the Committee of Experts was too narrow and inflexible in a number of important respects. It ignored the effect or likely effect of the dispute on the welfare or economy of the community; in the present case, since a group of 7,000 islands was involved, the concept of essential services should be expanded to include the airline industry.

The Committee on Freedom of Association confined itself to recommending that the declaration of a strike or lockout as illegal should not be made by the Government, but by an independent body, and that the legislation should be accordingly amended. However, the employers affirmed their position that the current restrictive approach to the question of central services should be modified in the manner indicated.

A Worker member of Sweden, speaking on behalf of the Workers’ group, supported the statement by the Reporter and asked for the adoption by the Governing Body of the conclusions and recommendations of the Committee. Regarding Colombia (Case No. 1787), as the report noted, the situation had worsened rather than improved. The four other Colombian cases demonstrated the frequency of violations of freedom of association at various enterprises and death threats, delayed judicial proceedings, anti-union dismissals and violations of public servants’ right to bargain collectively. The Workers’ group therefore fully supported the request that all matters concerning Colombia be transmitted to the Fact-finding and Conciliation Commission of the ILO. This procedure involved both establishing the facts, and promoting understanding and acceptable solutions with all three parties concerned.

The Workers’ group was also concerned by Belarus (Case No. 2090), where the Government effectively had taken over the free and independent trade union movement, deliberately interfered in trade union elections, and with threats and pressure on workers at enterprise and regional level, forced them to leave their former organizations and become government and management-controlled unions. If the Government, a member of the Governing Body, did not immediately stop its repressive policies against freedom of association, the Workers’ group would be forced to take additional action at the next meeting of the Governing Body.

In Ecuador (Case No. 2201), on 16 May 2002 at the Los Alamos banana-growing ranch, hundreds of armed and hooded men attacked workers on strike, wounding 12 workers, threatening and abusing 60 to 80 workers and looting workers’ belongings. According to the allegations, the employers brought in strike breakers accompanied by hired assassins. Sixteen enterprise security guards and two policemen were being held in custody for these criminal acts.

In Japan (Cases Nos. 2177 and 2183), the Government was recommended to engage in full consultations with the trade unions concerned, with a view to amending the current legislation that prohibited firefighters and prison staff from organizing their trade unions.
and denied all public employees the right to strike and the majority of public employees the right to bargain collectively.

In Chile (Case No. 2172), the Government had confirmed the action taken against the Trade Union of Pilots and Technicians at Lan Chile (SPTLC) in connection with negotiations for a new collective agreement as constituting anti-union practices involving dismissals, discrimination, actions against collective bargaining and replacement of dismissed unionised pilots by recruited foreign pilots. In El Salvador (Case No. 2190) also, state employees were denied their right to organize. The Workers’ group expected that the Government, newly elected to the Governing Body, would take measures urgently to follow the recommendations made to it.

In the Philippines (Case No. 2195), the Government had also declared a strike illegal. The Committee urged the Government to amend the Labor Code to bring it in line with the Conventions ratified by the Philippines. This had been requested by the Committee of Experts for several years without results.

In Thailand, Case No. 2181 dealt with the status of an enterprise which, according to the Government, had ceased to be a state enterprise and had become “a private public company”. As a consequence, the trade union (BCPEU) had been dissolved, its registration cancelled, prevented from bargaining collectively and with an unclear situation regarding the application of the previously negotiated collective agreement. The Committee had requested that the Government restore the legal personality and registration of the trade union immediately.

In Case No. 2154, concerning Venezuela, classified as a serious and urgent case by the Committee, the Government still did not appear to be prepared to cooperate with the Committee.

In Zimbabwe, Case No. 2184 was also serious and urgent. The Committee had requested the Government to implement the High Court Order that police should not intervene in trade union meetings. The Committee also noted with grave concern the allegations about the attitude of the Government during the election campaign and the intention of the authorities to deregister the Zimbabwean Congress of Trade Unions. The Committee strongly urged the Government to refrain from any action in this respect.

Other cases, such as those concerning Cameroon and Gabon, deserved mention. In addition, there were cases on Bosnia Herzegovina (Case No. 2140), and the former Yugoslav Republic of Macedonia (Case No. 2133), where employers’ rights were violated and where these Governments failed to fulfil their obligations to the ILO and Convention Nos. 87 and 98, both of which they had ratified. The Office should take steps to broadcast information more widely on the results of the work of the Committee on Freedom of Association.

A Government representative of Cameroon, speaking on Case No. 1995, declared that Mr. Olongo, a staff delegate who had been dismissed in 1988, had rejoined his company, now known as SONEL, a private company set up with funds from the United States. SONEL had been instructed to settle Mr. Olongo’s financial claims. Cameroon was a haven of peace in a turbulent continent, largely because the Government knew the value of social dialogue, which it had practised before Convention No. 144 had been adopted.

The Governing Body adopted paragraphs 174, 184, 193 and 216.

A Government representative of Belarus disagreed with the inclusion of the Republic of Belarus in paragraph 11 of the report. The Government of the Republic of Belarus attached considerable significance to the development of social dialogue in the country and
the protection of freedom of association. Belarus had created the necessary legislative basis for the development of social partnership, and the practice of solving problems by reaching collective agreements on different levels was widespread. Since 1991, Belarus had regularly concluded general agreements between the Government and employers' associations and trade unions. There were tripartite consultative bodies in the country. The National Council on Labour and Social Questions had been created by the President of the Republic in 1995. The National Council had established, in August 2002, a standing tripartite group of experts on the application of international labour standards. The work of the group involved guaranteeing permanent consultations between the Government and trade unions and employers' associations regarding ILO affairs.

The Government of Belarus was interested in quickly resolving Case No. 2090 and was ready for dialogue with the ILO. As it stood, legislation in Belarus did not prevent workers from joining unions, and indeed, in September 2002, the Government of Belarus adopted Decree No. 1282, re-establishing deduction at source of union dues. Moreover, the Government attached great importance to the registration of unions. As a result, more than 90 per cent of workers were members of unions and there were two Republican trade union centres, 32 industrial trade unions and more than 25,000 primary grass roots trade union organizations. The procedure for registration took into account the structure of unions and particularly their activities: a union must have legal personality to be able to undertake the financial activities necessary to be able to execute their constitutional trade union rights and tasks. Legislation did not prevent trade unions nor their organizational structures from registering an address outside the enterprise.

A decree had been adopted in March 2001 on the use of foreign grants. The procedure for the registration of assistance was simple and fast, and so far there had been no cases of a refusal of trade unions registering foreign grants. The Government did not interfere in trade union elections. This was regulated by law. Trade unions and their leaders were free to protect their rights through the appropriate courts, but they had taken no steps in this direction.

Specific measures had therefore been taken by the Government to develop social dialogue and establish tripartite relations with the trade unions' and employers' associations. At the next meeting of the National Council in November 2002, the Government and the social partners would be considering the Belarus draft employment programme for 2003.

The Government understood that the legislation required perfecting, and recognized the importance of the ILO's supervisory machinery in this exercise. It had recently signed a new programme of cooperation with the ILO. Proposals on the forms that cooperation between Belarus and the ILO might take would be developed by the Ministry of Labour and Social Protection of Belarus with the participation of unions and employers.

A Worker member from Sweden welcomed the fact that the Government of Belarus was committed to solving the matter rapidly. However, the Government had given no real indication of having understood the ILO's requests and recommendations. The present legislation did not prevent workers from the right to organize, but neither did it prevent governments or management from interfering with independent and free trade unions, and from taking control of these unions. Intensive dialogue should be engaged to resolve all matters in relation to freedom of association violations.


The sitting closed at 6.20 p.m.
FOURTH SITTING

Thursday, 21 November 2002, morning

The sitting opened at 10.50 a.m., with Lord Brett in the Chair.

Ninth item on the agenda

329TH REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION (concl.) 1

A Government representative of Colombia, speaking on Case No. 1787, recalled Colombia's long tradition of cooperation with the ILO, but had reservations regarding the Fact-Finding and Conciliation Commission. Colombia sought to enhance the technical cooperation programme by working with the ILO and the social partners, and hoped to be able to show results at the next Governing Body.

The Governing Body adopted the recommendations in paragraphs 384, 399, 417, 447, 479 and 492.

A Government representative of Ecuador, regarding Case No. 2201, said that his Government had kept the Committee permanently informed on the case, and assured the Governing Body that it was taking the necessary legal measures to provide full updates on developments.

The Governing Body adopted the recommendations in paragraph 511.

A Government representative of Spain announced, in respect of Case No. 2123, that negotiations had already taken place between his Government and the unions and that a positive result had been achieved. On 13 November, an agreement had been signed between the Government and the main trade unions representing public servants, setting the employment conditions applicable to all public servants for a period of two years.

The Governing Body adopted the recommendations in paragraphs 534 and 548.

A Government representative of Japan made comments on Cases Nos. 2177 and 2183. His Government found it difficult to accept the Committee's recommendations. There had been dialogue with the ILO for many years regarding the issues of fundamental labour rights, and Japan's efforts had been positively evaluated. Respect of Conventions Nos. 87 and 98 had been ensured. Future discussions in the Committee should take these factors into account. The Japanese Government was willing to provide additional information to increase understanding of its position.

A Worker representative from Japan noted that workers in Japan, especially civil servants, were encouraged by the Committee's recommendation. The Japanese Government must tackle the long-standing problem of civil servants' basic rights. The Government should engage in consultations, and negotiate with the workers' representatives.

1 See also third sitting.
The Governing Body adopted the recommendations in paragraphs 566, 652, 687, 697, 706 and 721.

A Government representative of the Philippines asked that its reservations concerning the conclusions and recommendations in Case No. 2195 be placed on record. The Committee had acknowledged that "the obligations to give prior notice to the employer before calling a strike and to take strike decisions by secret ballot [were] acceptable". The previous ruling of the Committee had been that the responsibility for declaring a strike illegal should lie with an independent body. The Committee, in fact, was confirming the rulings of the Philippine national courts including the Supreme Court, which were bodies independent of the executive branch of the Government. The Association of Airline Pilots of the Philippines (ALPAP) did not fulfil the legal requirement of holding a strike vote before it staged the strike on 5 June 1998, thus making the strike illegal. If the strike was illegal within the Committee’s own definition, then the ALPAP complaint was unfounded. The decision taken by the Secretary of Labor was correct, confirmed by the courts and within the bounds that the Committee had ruled acceptable. Furthermore, the intervention or non-intervention of the Secretary of Labor would not have had any bearing on the legality of the strike. The strike was illegal from the very start. In addition, ALPAP, by filing its complaint in the national courts, had indicated its confidence in those courts. Having lost the case, ALPAP had no reason to file a complaint before the ILO. The Philippines was among the few countries that had, since 1987, enshrined the right to strike in its Constitution. The Philippine Government was committed to upholding the fundamental rights of the workers to self-organization, collective bargaining and peaceful concerted activity within the framework of law.

The Governing Body adopted the recommendations in paragraphs 739, 764 and 778.

A Government representative of Uruguay said that Case No. 2174 had been dealt with by the Uruguayan labour law system and a verdict delivered in 2002, ruling out recourse to appeal by these workers, who had seriously neglected their duty to the capital’s most important medical centre. The sentence handed down was quite regular, however a procedure was available in Uruguay for the review of sanctions, even though, in this instance, the sanctions were less severe than normal. Paragraph 798(b) referred to a small group of workers from the same medical centre who had taken part in a protest where considerable disrespect had been shown to the President of Uruguay. The centre considered it necessary to carry out an investigation. Since the centre was the property of the Medical Union of Uruguay, a fully independent body, this was essentially an internal dispute between a union of medical technical personnel and a union of non-technical personnel.

The Governing Body adopted the recommendations in paragraphs 798, 817 and 831.

The report as a whole was adopted.

Eighth item on the agenda

ACTION TO BE TAKEN REGARDING THE APPOINTMENT OF THE DIRECTOR-GENERAL

The Worker spokesperson supported the timing of the election of a Director-General as it allowed the new Director-General designate a year to have consultations towards the development of an appropriate programme to place before the Governing Body. The group also supported the appointment procedure under which candidatures should be declared by 11 a.m. on 24 February 2003 and the elections should be held on 28 March 2003 at 3 p.m. The Workers’ group had unanimously decided to put forward the candidature of the incumbent Director-General, Juan Somavia.
The Employer Vice-Chairperson approved the points for decision and hoped that the electoral process would reflect the democratic consensus embodied in the tripartite spirit of the Organization.

A Government representative of Argentina, speaking on behalf of GRULAC, agreed with the points for decision and supported the candidature of Director-General Juan Somavia for a second term.

A Government representative of New Zealand, in association with the Government of Australia, said it would be helpful if the Office prepared an additional paper in March, for information, outlining the procedures and their limitations for the appointment of Directors-General in other international agencies.

Government representatives of India, Indonesia, Kenya, Romania, speaking on behalf of Belarus, Bulgaria, the Czech Republic, Lithuania, Slovakia, Slovenia, Jordan, South Africa, on behalf of the African group of governments, the Libyan Arab Jamahiriya, the Republic of Korea, the Islamic Republic of Iran, Saudi Arabia, China and Pakistan endorsed the points for decision and supported the candidature of Director-General Juan Somavia for re-election.

A Government representative of Canada supported the points for decision as well as the request put forward by the Governments of New Zealand and Australia for a document on election procedures and term limits in other organizations. Canada supported the re-election of the current Director-General, Juan Somavia.

The Director-General thanked those present for their expressions of support and confirmed that he would be available for a second term.

The Governing Body adopted the recommendations in paragraphs 3, 4 and 5.

Sixth item on the agenda

ENHANCED PROGRAMME OF TECHNICAL COOPERATION FOR THE OCCUPIED PALESTINIAN TERRITORIES

The Employer Vice-Chairperson stated that the Employers were greatly concerned that the conditions necessary to a decent life should be created in the occupied Arab territories. Establishing needs and providing immediate assistance were the core of this technical cooperation programme. All the budgetary and technical resources available should be used to achieve these objectives. The Office should provide the 286th Session of the Governing Body with an update on the situation.

The Worker spokesperson said that the Workers’ group was particularly anxious that the commitment to devoting some of the surplus funding to this area should be followed through and that the commitments made by some governments to supplying further funding should be honoured. Donor agencies and governments should respond to the ILO’s call for support. So far, the funding had not matched the generosity of the language: understanding of the urgency of the need was required. The international trade union movement was attempting to tackle the socio-economic needs of the region, and called on the international community to help bring an end to hostilities and restore dialogue and peace.

The areas identified for action in the paper were crucial: reassessment of existing projects and a Fund for Employment and Social Protection, capacity building for the social partners and a platform for social dialogue across borders. The group supported the ILO in
its efforts to resume active discussions between employers' and workers' organizations in Israel and the occupied territories in order to resolve the conflict. A traditional technical cooperation perspective should be replaced by an innovative approach.

Youth should be one of the main target areas for the Fund, but the question of women should not be overlooked. Discussions should essentially remain tripartite, though other major interested organizations, such as the Youth Network, that were not part of the social partnership might be given a role to play. Further information on the feasibility study being undertaken would be welcome, together with an update on the commitment by donor countries and the multilateral agencies in support of the Fund, and another detailed report on the situation at the next session of the Governing Body.

A Government representative of South Africa, speaking on behalf of the African group, stated that the continuous deterioration of the situation in the Middle East, especially in the occupied territories, did not bode well for the ILO or other international agencies in the region, but he applauded the efforts being made to assist the Palestinian people — these centred on the four strategic areas of employment, social dialogue, social protection and the establishment of a Palestinian Fund for Employment and Social Protection. The proposals to set aside funds from the cash surplus to respond to crises and emergencies and to facilitate dialogue between the Palestinian workers' representatives and Israeli employers were both welcome. Such dialogue would enhance the chances of Palestinian workers to work in Israel. Both parties should enter into serious and effective social dialogue on the issues giving rise to the conflict.

A Government representative of the Libyan Arab Jamahiriya, speaking on behalf of the Arab member States of the Governing Body, paid tribute to the efforts which the ILO had made in establishing the programme and towards implementing it; he welcomed the intention to allocate monies to the Palestinian Fund, as well as the allocation of US$300,000 to meet the most urgent needs of Palestinian workers. Donor countries, regional and international organizations and entities were urged to participate in the Fund. The strengthening of the ILO Jerusalem Office was a positive step, but should not lead to a reduction in funding for the Beirut Office. The implementation of the enhanced technical cooperation programme should be engaged as soon as possible and could be in two stages: firstly, to respond to the most urgent immediate needs; and secondly, to respond to the requirements and needs which would emerge over the medium and long term.

A Government representative of the Republic of Korea, speaking on behalf of the Asia-Pacific group of governments, expressed satisfaction at the efforts to implement the programme, particularly the projects addressing various social and labour issues in the territories, such as establishing the Palestinian Fund for Employment and Social Protection and the proposal to use US$1.4 million of the budget surplus, in addition to US$300,000 from ILO resources for the immediate needs of the Palestinian constituents in economic cooperation, capacity-building, social protection, social dialogue, and strengthening of the ILO Office in Jerusalem.

The Asia-Pacific group supported the Fund and stressed that it should be administered transparently and closely monitored, and that the ILO should coordinate these activities with other agencies to ensure that the programme delivered maximum benefit to the workers and employers of the region.

A Government representative of Bangladesh wished to be associated with the statement by the Asia-Pacific group. The Government of Bangladesh was deeply concerned by the continued violation of rights in the occupied territories. The areas for action proposed in the programme were sensible, but the programme was critically linked to sustainability and continuous contributions from donors were required. The Office should provide a full update on the situation to the Governing Body in March 2003.
A Government representative of France welcomed the programme and especially the implementation of the special Fund, but had concerns regarding the public works programme, which seemed beyond the ILO's mandate and fell more obviously within the UNDP remit. He requested – with the aim of seeing ILO action achieve maximum efficiency – more details on sources of funding, on how activities would be carried out and on how the programme would fit into the framework of international cooperation in the territories. France and the ILO, in the framework of the agreement they had signed in November 2001, had agreed on the principle of a joint mission to the territories with the aim of defining possible areas of cooperation in social protection, employment promotion and the fight against poverty. The French Government was ready to follow up on this agreement immediately.

A Government representative of the Islamic Republic of Iran endorsed the statement by the Asia-Pacific group. The creation and establishment of a Palestinian Fund for Employment and Social Protection would be the best way to alleviate the sufferings and insecurity of Palestinian citizens in general, and reduce youth unemployment in particular. The Government of Iran supported the ILO's technical assistance and emergency schemes for job creation in Palestine and welcomed every new ILO initiative to promote employment, social protection, social dialogue and security in the occupied territories.

A Government representative of the United States recalled that at the ILC, the United States Secretary of Labor had supported the Director-General's proposal for an expanded programme of ILO technical cooperation in the occupied territories. The report showed some progress had already been achieved, in part through the use of funds from the cash surplus and that additional surplus funds were earmarked for this programme. The programme was correctly focused on areas where the ILO's structure and expertise could be of greatest benefit and should retain priority for the use of surplus funds. A feasibility study had been carried out for the establishment of a Palestinian Fund for Employment and Social Protection and further information about this initiative was expected at the projected donors' meeting. The ILO's efforts to promote dialogue between Israeli and Palestinian workers' and employers' organizations were positive, and the report showed the ILO was taking the kind of innovative approach required. A further progress report should be provided in March 2003.

A Government representative of Norway noted that the Palestinian Authority was on the verge of financial breakdown, the economy and infrastructure were seriously damaged and unemployment had reached 50 per cent. The expanded ILO programme of technical assistance funded partly through the surplus was welcome. Norway had a special interest in the creation of the Fund. As Chair of the Ad Hoc Liaison Committee (AHLC) donor group, a participant in the task force for Palestinian reform and a donor to the Palestinian people, Norway played a leading role in rebuilding the Palestinian economy and infrastructure, and was prepared to continue this support. However, the situation could not be resolved by development aid alone: a political process was also called for.

A Government representative of Indonesia endorsed the statement made on behalf of the Asia-Pacific group. The most gratifying aspect of the programme was that it would benefit not only the Palestinian Authority but its social partners as well. Immediate assistance should be given to meet the Palestinians' technical cooperation needs and the Office's decision to focus on the promotion of a youth training and employment programme was encouraging. A comprehensive report was required, evaluating this enhanced technical cooperation, to avoid possible pitfalls which might compromise its implementation.

A Government representative of Sudan commended the efforts made by the ILO to enhance technical cooperation in the occupied Palestinian territories and endorsed the decision to set aside an amount from the 2000-01 budget surplus to this end. Funding
should be increased, and the delegations were called on to cooperate in providing additional funds.

A *Government representative of Saudi Arabia* joined those who had asked donor countries and organizations to support the Fund. The Government of Saudi Arabia had given US$500,000 in assistance to ILO programmes in Palestine. It approved the allocation of part of the 2000-01 surplus to support the Fund. A full study on the prospects of the Organization in the territories should be presented to the Governing Body in March 2003.

A *Government representative of Canada* believed that ILO technical assistance could be an invaluable contribution to the workers of the occupied Arab territories, promoting employment, particularly among young persons. Part of the 2000-01 surplus should be used to finance the Fund.

A *Government representative of Pakistan* endorsed the statement by the Asia-Pacific group and welcomed the expanded programme for technical cooperation. The Director-General should explore all possibilities to provide further assistance and support. Pakistan remained deeply concerned with the ongoing economic and political crisis engulfing the region.

*The representative of the Director-General* reported that, since the report before the Governing Body had been written, the draft of the feasibility study of the Fund had been completed. It would be supervised by a tripartite board, in charge of an autonomous technical secretariat, answerable to the Governing Body. Concerning coordination with other agencies, the ILO was sticking to its areas of competence, and had from day one been working very closely with the World Bank, UNDP, UNWRA and UNCTAD and met regularly with these partners to discuss proposals put forward. The Government of France had mentioned the possibility of a joint mission to the occupied territories, and the Office was keen to take up this proposal and benefit from France's experience, especially in the youth employment area.

An important point had been made by the Government of the Libyan Arab Jamahiriya, on behalf of the Arab group, regarding the balance between emergency needs and the long and medium-term needs. Both the Fund and the Beirut Office would take this into account. The question of sustainability raised by the Government of Bangladesh was also of great importance.

*The Director-General* mentioned that the Minister of Labour of Palestine had asked for assistance to help the Ministry function. The ILO had provided this and would continue to do so. The Fund needed to cooperate with other institutions because the ILO was not a funding institution. It could well be that the ILO launched the Fund, but that other bodies were better suited to running it. The ILO's responsibility was to get the Fund going and then determine where and how it should be managed.

Donor conferences could not be simply ILO initiatives, but must be part of a wider context, and consequently the ILO was going to take steps to coordinate its action with that of the "quartet" – the United States, the Russian Federation, the European Union and the United Nations.

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

 REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

 The Governing Body adopted the recommendations in paragraphs 33 and 34.

Fourteenth item on the agenda

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

 The Governing Body adopted the recommendations in paragraphs 43, 48, 52, 57 and 63.

Fifteenth item on the agenda

 REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION

 The Governing Body adopted the recommendations in paragraph 76 and took note of Parts I, II, III, IV, V and VI.

 A Government representative of Germany submitted a correction relating to the statement of the Government representative of Germany in paragraph 89 of the report.

 The sitting closed at 1 p.m.
FIFTH SITTING (PRIVATE)

Thursday, 21 November 2002, afternoon

The sitting opened at 3.35 p.m., with Lord Brett in the Chair.

Nineteenth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

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 NINE WORKERS' ORGANIZATIONS

The Governing Body decided that the representation was receivable solely in respect of the nine workers' organizations, without consideration of the other authors, who were not eligible to submit representations, and subject to the receipt of confirmation that the nine workers' organizations were at the origin of the representation; and referred it to the committee established to examine the three other representations alleging non-observance by Mexico of the Indigenous and Tribal Peoples Convention, 1989 (No. 169).
SIXTH SITTING

Thursday, 21 November 2002, afternoon

The sitting opened at 3.50 p.m., with Lord Brett in the Chair.

Seventh item on the agenda

EFFECT TO BE GIVEN TO RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS 90TH SESSION (2002)

(a) Resolution concerning tripartism and social dialogue

The Employer Vice-Chairperson stressed the great importance the Employers' group attached to the resolution on tripartism and social dialogue. Paragraphs 2(i) to 2(j) of the resolution called for strengthening of the tripartite structures of the ILO to ensure that the ILO worked with and for the constituents of the Organization. However, on occasions the practice of tripartism appeared to be being undermined: an ILO media handbook had appeared to relegate the role of employers' and workers' organizations in favour of partners outside the tripartite framework. The document suggested that social partners should be sought, for example, in chambers of commerce, in preference to the International Organisation of Employers (IOE), an organization which had existed since 1920 and which regrouped the most representative employers' organizations from around the world. Workers' organizations had fared no better. This sent out quite a different message about mechanisms for tripartism. It was difficult to discuss the implementation of a resolution on tripartism, which upheld ILO practice, when this approach appeared to be leaving tripartism on the sidelines.

The Governing Body should carry out a serious and in-depth analysis and determine the strategies to be implemented to secure the role of tripartism. The ILO was a unique institution within the United Nations system and lay at the foundations of social dialogue worldwide. In that connection, the legitimacy of the employers and workers stemmed from the fact that they were representatives who had been elected by their respective national and international organizations.

Careful thinking would need to take place to enable the Governing Body to address, at its forthcoming 286th Session, the question of an appropriate communication strategy. The ILO was seeking to become more visible: this was positive, but in so doing, the essential values of tripartism, and through it social dialogue, must not be left by the wayside. Guidelines should be made available, through dialogue and consultation, with the participation of the Office as well as with Employers and Workers, to define the objectives of a communications strategy.

A clear policy on non-governmental organizations was required. The ILO should remain open to allow NGOs to participate in and enrich debates. It was vital for the Bureau for Employers' Activities and the Bureau for Workers' Activities, the ICFTU and the IOE to participate actively, and the tripartite nature of the ILO must not be lost: the decision-making power had to rest with the three groups. Thus, while supporting the point for decision contained in the report relating to the resolution now under examination, he firmly
believed that the Office should consolidate and clarify the notion and objectives of its own tripartism before considering the possibility of proposing tripartism and social dialogue as an agenda item for a general discussion at a future ILC.

According to the document under consideration, draft guidelines were being prepared on cooperation between the ILO and non-State actors to further the Decent Work Agenda. Before elaborating such guidelines, it would be advisable to give careful scrutiny to the literature produced by the Office to act as a basis for its own action. The ILO must not promote to the outside world what had not been agreed on in-house.

The Worker spokesperson shared fully the Employers’ concerns regarding the text of the ILO media handbook which had recently appeared. The vision of tripartism expressed in the document in question bore no resemblance to that presented by the Social Dialogue Department on 19 November 2002 when launching the booklet *Promoting the ratification and application of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)*, that had been so well received by Governing Body members. The media handbook should be withdrawn and redesigned.

The representative of the Director-General read a statement from the Department of Communication (DCOMM), as follows: “There has been a good deal of discussion regarding a media handbook for ILO field staff that was recently issued by the Department of Communication and it is clear that there are mistakes in parts of the text. This handbook has had a limited distribution thus far, in fact when issues were raised by one unit prior to the Governing Body, distribution was immediately stopped.

“DCOMM is now aware of the concerns that have been raised and has taken them fully into account. DCOMM is keenly aware that its mandate is to protect the ILO and particularly its tripartite structure and the Department recognizes the need to ensure that its publications reflect this tripartite spirit.

“Accordingly DCOMM intends to update the publication after full consultation and ensure that this updated version is then distributed.”

A Government representative of South Africa concurred with the conclusion in the report on the Conference resolution on tripartism that necessary preconditions needed to be established for social dialogue to be beneficial. Tripartism and social dialogue were an integral component of decent work and, as such, essential channels for the achievement of decent work. Social dialogue was not only an objective in itself but also a means of achieving all the ILO’s strategic objectives.

Social dialogue could not function effectively unless partners participating in the process were both representative and independent. The ILO should therefore continue to strengthen the capacity of employers’ and workers’ organizations, particularly in the developing world. Without social dialogue, the ILO code of practice on HIV/AIDS and the world of work would never have been achieved. The development by the Turin Centre of new training modules would help to ensure that tripartism and social dialogue were fully integrated into the industrial environment.

Following the 19 November launch of the booklet promoting Convention No. 144, countries should consider the ratification of this Convention, as it provided the framework for the effective implementation of the resolution adopted by the Conference. The Office should provide technical assistance to help member States ratify the Convention. The Government of South Africa supported the points for decision in paragraph 39 of the document.
A Government representative of Ghana endorsed the statement made by the Government of South Africa. Tripartism and social dialogue were important means of achieving harmony in employer-employee relationships. In Ghana, until recently, the Government had been the major employer in the formal sector and therefore fully appreciated the importance of dialogue with the social partners. Indeed, the employment policy of Ghana was predicated on the promotion of social dialogue and the improvement of the social protection system. The capacities of employers, workers, as well as labour administrators, should be strengthened to enable them to play their respective roles effectively. The ILO should help developing countries draw up training programmes to enhance the capacity of the social partners and promote the culture of social dialogue in other multilateral institutions.

A Government representative of the United States reaffirmed his Government's commitment to the fundamental principle of tripartism. However, the request for information from governments, workers and employers on measures taken to implement the recommendations in the resolution, in the point for decision in paragraph 4, was of questionable value. What use would be made of the information collected, other than its being reported to the next session of the International Labour Conference in the Director-General's Report regarding follow-up to resolutions? The proposal to select tripartism and social dialogue as an agenda item for a future ILO Conference (decision point in paragraph 39(c)), was also doubtful. The general discussion on tripartism in 1996 only lasted some two days: explanation was needed of how this proposed discussion would be different and what value it would add.

A Government representative of France approved the point for decision in paragraph 39. Technical cooperation for strengthening tripartism was an area where the ILO could be a determining factor in the building and development of tripartism, especially in the less developed countries. It was essential for the Committee on Employment and Social Policy to underline the social aspect of Poverty Reduction Strategy papers (PRSPs) and establish clear decent work objectives. There was a need further to promote Conventions on social dialogue, such as Nos. 144, 150 and 154, which lacked significant ratifications. The Turin Centre could play a role through capacity building for tripartism or increasing awareness of social dialogue instruments.

A Government representative of India said that India had ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and, as a result, a tripartite committee on Conventions had been constituted which met regularly to discuss with the social partners various issues related to ILO standards and the position of the Government of India. The Standing Labour Committee and Indian Labour Conference, popularly known as the "Labour Parliament", were also convened at regular intervals. Tripartite social dialogue had helped develop many landmark statutes, such as comprehensive legislation to prevent child labour and to establish the Central Board for Workers' Education. The Industrial Dispute Act of 1947 placed tripartism at the basis of the dispute resolution mechanism. Further legislation provided for the constitution of advisory boards. Several industrial tripartite committees had been created with a view to promoting tripartism and social dialogue. These acted as a forum to discuss industry's specific problems and to allow a better understanding of the issues among the social partners. A special tripartite committee had also been constituted to consider the impact of economic restructuring on labour and related issues. The Government had enacted laws to guarantee and regulate, inter alia, the right to freedom of association and collective bargaining, in all industries and services, except in defence and certain uniformed services.

A Government representative of Germany saw the proposals and ideas contained in the document as a further reinforcement of the fundamental ILO issues of tripartism and social dialogue. However, the additional reporting obligation mentioned in paragraph 4, and questioned by the Government representative of the United States, was not acceptable.
and should be rethought by the Office. Further information should be provided before a decision was taken to include tripartism and social dialogue as an item on a future ILC agenda.

A Government representative of Belgium agreed that the strengthening of the role of tripartism and social dialogue was critical to achieving strategic goals. However, paragraph 13 of the document suggested that the ILO was giving less importance to labour administration, by merging it with other goals that were less clear. Labour administration was a major factor in the promotion of social dialogue and tripartism. What was the point of having clear objectives in social dialogue if the crucial structures, mechanisms and procedures were not to hand to achieve them? Labour administration should be strengthened and the Turin Centre had a role to play in this.

A Government representative of Uruguay endorsed the office report on the Conference resolution and the point for resolution decision in paragraph 39. Uruguay had ratified Convention No. 144 at an early date. The social security system in Uruguay was managed by a tripartite board, and employment policy was also elaborated with the participation of employer and worker representatives. The National Employment Council operated along tripartite lines as well.

A Government representative of the Islamic Republic of Iran stressed that tripartism and social dialogue were central to achieving ILO objectives, and could play an important role in the exploration of new ways of capacity building in the Islamic Republic of Iran. The Government was working closely with the ILO and the social partners to remove all legislative barriers to the ratification of Conventions Nos. 87 and 98.

A Government representative of Portugal, speaking on behalf of the group of Western European governments, said that although the employers and workers might be more closely implicated in certain issues than governments, the importance of the latter in tripartism must not be diminished. Governments had been marginalized within the ILO in comparison with the other groups. This could ultimately only damage the Organization, which should take steps to safeguard its founding principles.

The Worker spokesperson noted the important role played by governments, employers and workers in tripartism. The position of governments should not be minimized. The new initiatives, set forth in the office report should be taken to implement the resolution. As some governments had said, there was a need to promote and implement Conventions Nos. 87, 98, 144, 150, 151 and 154, and there was a need for legitimate independent and democratic organizations of employers and workers at the centre of this exercise. Capacity building should be increased through ACT/EMP and ACTRAV; and to monitor and evaluate progress, a social dialogue indicator database could be established. Paragraph 38 of the report required examination, on account of the language used regarding non-state actors.

The group supported the points for decision. Paragraph 39(c) should be dealt with as a recommendation, and the regular procedures for the inclusion of items on the Conference agenda should be followed when and if the issue was proposed for that purpose.

The Employer Vice-Chairperson noted with satisfaction the decision to withdraw the media handbook and to develop a communications policy for the Governing Body with the participation of all three groups. As regarded the paper before the meeting, technical cooperation programmes needed to be developed for the social partners, particularly in the developing countries, to build their knowledge and skills and thereby, to enable them to participate fully in tripartism.
This group attached great importance to paragraph 2(j) of the resolution, which should regulate the degree to which social dialogue might extend to civil society organizations and representatives, as mentioned in paragraphs 16 and 88 of the report. As regards paragraph 38, the draft guidelines on furthering the Decent Work Agenda with the participation of non-state actors should be produced with inputs from ACT/EMP, ACTRAV, the ICFTU and the IOE. In the general context of strengthening tripartism, ACT/EMP should receive the necessary resources to meet the clear needs of employers’ organizations in developing and emerging countries seeking to participate in international social dialogue, and also, to a greater degree, in national social dialogue, where strong support from ACT/EMP was required.

The representative of the Director-General explained that the paper viewed tripartism as a tool for integration and social dialogue as a path towards enhanced implementation of the ILO’s objectives. The aim was to develop a plan of action with greater integration of social dialogue and tripartism in all ILO work. Tripartism was not an exercise that should be confined to the Social Dialogue Sector; it should be firmly rooted in everything that the Organization did, both in headquarters and the field.

Paragraph 4 of the document sought fuller information on what exactly was being done in the field. It did not propose a recurring reporting obligation but was simply a request for information to understand better the needs of the constituents, to enrich a programme of action that would strengthen tripartism. The guidelines mentioned in paragraph 38 were currently being drafted by the office of the Legal Adviser and were intended to guide the Office in dealings with non-state actors. It was clearly understood by the Office that non-state actors did not include workers and employers. Informal consultations would be undertaken to ensure the guidelines met with the approval of all groups.

On the issue of discussing tripartism and social dialogue at the ILC, any decision would, of course, need to be taken by the Governing Body. The Office had simply suggested that this particular item might be considered: social dialogue was not in stasis, and needed to be considered against the background of globalization, or within the context of developing countries.

On the point raised regarding the merger of the InFocus Programme on Social Dialogue and the labour law and labour administration programme in Spring 2002, none of the functions from either of the two previous units had been changed at all. The Office only wanted to ensure that the work on labour administration and labour law was in fact carried out on a tripartite basis.

The Governing Body adopted the recommendations in paragraphs 4 and 39.

(b) Resolution concerning decent work and the informal economy

The Employer Vice-Chairperson stressed the vast diversity of the informal economy. Serious scrutiny had been given to the issue at the Conference in connection with this resolution and subsequent action had to be approached in such a way that this diversity of the informal economy was recognized. The Conference had understood what gave rise to the informal economy, but attention must be concentrated on the obstacles preventing an informal work environment becoming formal. Informal workers should benefit not only from globalization but also from integration into the informal economy. This was first and foremost a question of governance, and centred on the absence of property rights, lack of access to capital and credit, absence of an educational system or access to education and limited access to the public infrastructure and benefits.
To face up to these obstacles, the Office should develop a plan of action, as stated in the conclusions, which strengthened the tripartite approach, and with the participation of ACT/EMP and ACTRAV. This plan should help member States to formulate and implement, in consultation with employers’ and workers’ organizations, national policies designed to transfer workers and economic units from the informal economy into the formal economy.

Workers had to be helped to become involved in production processes, with account being taken of the development possibilities in their countries. Assistance must be provided to member States to allow them to develop appropriate and facilitating legal and normative frameworks to give informal economy workers access to property rights and to encourage and support the start-up and sustainable growth of enterprises in their transition from the informal to formal economy.

The Office must put forward specific proposals for programmes that would attract donor support and secure budgetary resources for this action.

It was essential for cooperation with ACT/EMP and ACTRAV to be pursued. Many of the issues were socio-economic and political in nature and required a micro- and macroeconomic approach. It was not a question of persecuting the informal economy, but of assisting its transition to the formal economy. All forms of the informal economy should be addressed; attention should also be given to the forces which drove economic activities into the informal sector, such as oppressive fiscal systems.

The Worker spokesperson welcomed the internal discussions of the Interdepartmental Task Force, that would present its plans for the next biennium in March. Although measurements of the decent work deficit were already well known, the Office should support governments and the social partners by advancing policies that held back the processes militating against decent work creation.

In pursuing the matter, the requirements of Recommendation No. 113 should be kept in mind. The first priority area was to help member States to formulate and implement, in consultation with employers’ and workers’ organizations, national policies aimed at moving workers and economic units from the informal economy into the formal economy. It should be recognized that workers did not go into the informal economy from choice but by obligation. Training should be developed by governments, employers and trade unions, allowing small and micro-enterprises in the informal economy access to the technical expertise needed to be subcontracted by bigger enterprises in the formal economy, and thus take an initial step towards the standards-regulated economy.

The ILO, with appropriate funding, should help both employers and trade unions to organize and assist the informal sectors in an effort to move them into the formal economy, enabling workers to profit from the Decent Work Agenda.

Recommendation No. 193, regarding cooperatives, had been launched only two days previously. It was a useful tool for the ILO and the social partners to help bring individuals into a collective arrangement in their efforts to move from the informal into the formal economy.

A Government representative of Argentina, speaking on behalf of the governments of Latin American and the Caribbean States (GRULAC), appreciated the Office’s efforts to incorporate the resolution on decent work and the informal economy into its actions and policies. The growth of the informal economy was a particularly serious problem in Latin America and GRULAC attached great importance to the resolution. GRULAC was interested in the development of economic and social policies that would encourage the incorporation of enterprises and workers of the informal sector into the structured
Among its conclusions, the Conference has noted, in paragraph 15, that processes of globalization were not sufficiently inclusive or fair; export subsidies and other unilateral measures distorted markets. These important dimensions of the problem should be taken into account in the future work done by the Office and in particular in developing the Programme and Budget proposals for 2004-05 to be examined by the Governing Body in March 2003.

A Government representative of France recalled that the debate concerned the effect to be given to the resolution on the informal economy; nothing in the points of this resolution related to actions to be taken by the ILO concerning the issues raised now by Argentina. Paragraphs 36 and 37 of the conclusions laid out the Office's mandate, but nothing in those paragraphs called on the Office to act along the lines suggested by the Government of Argentina. The ILO was not concerned with handling trade imbalances. The mandate given to the Governing Body by the Conference should be respected in accordance with the resolution adopted.

The report showed little progress towards the programme called for by the 90th Session of the Conference. The issue should be discussed in March on the basis of a document containing a more detailed programme, in particular highlighting the items related to be supported by the Office; simplified social protection modalities; the conditions for transition to the formal economy; the role of microcredit in the transition process; or the integration of the informal economy dimension in decent work pilot programmes and PRSPs.

The Government representative of Argentina recalled that she had spoken on behalf of GRULAC, not of her country, and that her reference had been to paragraph 15 of the conclusions.

The Government representative of France maintained his Government's statement.

A Government representative of South Africa noted that the Conference had given strong forms of reference to the ILO to address informal economy issues. Apart from specific programmes that included technical assistance to countries for improving their knowledge base with regard to the informal economy, there was a call for the ILO to raise the issue of the informal economy within the multilateral community. The Office had, since the Conference, achieved a great deal not only in encouraging new activities through utilization of the 2000-01 surplus, but also in draining upon the momentum of the Conference resolutions to pursue or expand existing activities relating to the informal economy. Many of the priority strategies that were proposed in the resolution and conclusions were for the long term, but the approach taken was the correct one towards achieving decent work for all.

A Government representative of the United Kingdom emphasized the importance of the discussion on the informal economy. Much effort had been expended at the Conference to reach a consensus on how the ILO and its constituents should address the issue. The resolution invited the Director-General to allocate available resources in the current biennium and the conclusions called for "an identifiable and highly visible programme of work with dedicated resources", as well as ensuring the full integration of this area of work in the work across the ILO. The paper clearly stated the ILO's commitment to addressing the problems of the informal economy, but it was disappointing that in the allocation of resources from the cash surplus, the resolution on the informal economy appeared jointly with the other resolution, on tripartism and social dialogue, and not as a separate item.

Effective social dialogue should be expanded to cover the informal economy, allowing workers and employers to represent themselves, and encouraging workers' and employers' organizations to reach potential constituents in the informal economy.
informal economy was an urgent issue that should be given the specific attention and resources it merited. The Office should report again in March, giving an indication of progress on the development of the programme of work and the resources which had been allocated from the 2002-03 programme and budget for specific work on the informal economy.

A Government representative of Ghana supported the statements by the Governments of South Africa and the United Kingdom. The informal sector in Ghana was far bigger than the formal sector, employing a high proportion of women and the more vulnerable sections of society. Ghana's poverty-reduction strategy focused on providing an enabling environment that ensured universal access to basic social services. The ILO should encourage the full cooperation, support and active participation of all its constituents and other stakeholders in the promotion of decent work in the informal sector. A substantive ILO technical cooperation programme was required with clearly identified products and action plans, with a focus on decent work — especially in the informal economies of developing countries.

A Government representative of Malawi endorsed the statement made on behalf of African governments. The document outlined the action required in developing and developed countries. As stated in paragraph 6 of the conclusions: "Most people enter the informal economy, not by choice but out of a need to survive." The need for ILO action and support was urgent.

An Employer member from India said that South Asia contained about half the world population earning less than US$1 a day and that time was running out for action. This much neglected area should receive priority in allocation of funds.

A Government representative of Uruguay reaffirmed support for the GRULAC statement. Decent work was an important part of the programme of the ILO; indecent work was the result of an unjust international economic order. Bringing down trade barriers would give developing countries additional income of US$100,000 million: double the amount they received in aid. It was absolutely essential for the ILO to work in this direction as well.

The representative of the Director-General noted that the Conference had instructed the Office in great detail on the approach to be taken on the basis of the conclusions it had adopted. The approach took account of decent work deficits and their measurement and should be comprehensive. It focused on assisting member States to address questions of governance, employment generation and poverty reduction issues, including the causes of informality. It recognized the considerable diversity in the informal economy. It was above all tripartite in nature, with active involvement of ACT/TEMP and ACTRAV in the design of the work programme. The decent work country programmes and plans of action being developed in the regions were another opportunity to include an important, explicit, informal economy component.

From now until the end of the current biennium, the Office would be examining, firstly, ongoing activities and ILO work related to the informal economy in the light of the conclusions, with special regard to reinforcement of tripartism and efforts to reduce poverty; secondly, the possible use of a share of the surplus for implementing proposals from the regions. The report of the Programme, Financial and Administrative Committee and the indications given during this Committee discussion would provide guidance in this respect. A major effort was under way to identify extra-budgetary funding to be dedicated to informal economy and decent work issues in parallel to work undertaken with regular budget resources, either in this biennium or in the future. Thirdly, the Office was trying to use tools, as indicated in the document, such as task teams and advisory groups, to achieve an integrated programme of work that involved the sectors and the regions and also
ACT/EMP and ACTRAV, the Gender Promotion Department, and the Turin Centre. Coordination activity had been placed in the hands of the Policy Integration Department to bring the different units of the house together.

Next March, when examining the Programme and Budget for 2004-05, the Governing Body could give greater consideration to the follow-up to the resolution. The Conference had made it clear that the follow-up should be pursued by all ILO departments, not by a separate, specific unit. At the same time, the extra-budgetary outreach would look to having dedicated resources. The programming unit would explore ways in which dedicated resources could be identified without necessarily appearing in a separate budget line. The Governing Body would be kept informed of this.

It would be easier to reply to the more specific questions raised by the Governing Body once the consultative process had advanced and programmes springing from the resolution had been developed. As the Workers' group had suggested, the officials in the Office dealing with cooperatives were indeed specifically a part of the consultative mechanism. ACT/EMP and ACTRAV were fully involved in the elaboration of projects to be proposed to donors. She hoped that the various questions raised on the need for an identifiable and highly visible programme had been answered by her comments on how this translated into budgetary terms.

The Governing Body took note of the report.

Seventeenth item on the agenda

INTERNATIONAL INSTITUTE FOR LABOUR STUDIES

The Governing Body took note of the report.

Third item on the agenda

THE FUNCTIONING OF THE INTERNATIONAL LABOUR CONFERENCE

The Worker spokesperson said the group had not finished its deliberations on this point. It had embarked on an examination of its own position, its relation to the basic membership, relationship with the house, and the Conference. Shortening the Conference to 18 days would not allow sufficient time to complete the agenda, and the group also had some concerns regarding the staff's ability to cope with the overall workload, but wished to continue its own discussions before taking a position.

The Chairperson sought advice on how to take the dialogue forward: through informal consultations, with a further report by the Office, or by forming a working party.

The Employer Vice-Chairperson said the document was interesting and full of information on the question of NGO participation, the duration of the Conference, and the method of work in the committees. Given the presence of the permanent missions in Geneva, and in-house knowledge on the question of standards, integrated approach and social security, informal consultations would be a viable way to move forward. Deliberations within the Governing Body should be suspended until the Workers had had an opportunity to discuss the issues fully.

A Government representative of Canada, speaking on behalf of IMEC governments, requested the Office to provide constituents with sufficient advance notice of the date for the informal consultations on the working methods of the Committee on the Application of
Standards to enable them to make meaningful contributions. IMEC also looked forward to examining options in March 2003 for the format of the global report discussion in March 2003. The group encouraged the Office to continue to experiment with the format at the June 2003 ILC so that a wide range of experiences would be available for the overall review in November 2003. Significant improvements to the functioning of the ILC could be realized through practical adjustments within the current overall framework. These should support one or more of the following objectives: quality conference outputs; effective supervision of standards; enhanced ministerial participation; efficient use of time and resources; reduction of cost and workload for the Office and for member States.

Further reductions in the length of the Conference would not be practical, and it was clear from the report that the deadline for adoption of committee reports could not be advanced. The Committee on the Application of Standards traditionally completed its work by the Saturday afternoon of the second week. Fixing a reasonable deadline for completion of the technical committees' work might help focus discussions, encourage earlier resolution of issues and result in cost savings.

The plenary discussion could be moved to the first week, if special care was taken, by limiting the number of sessions in advance, to ensure it did not simply expand to cover the entire second week. However, allowing submission of statements in written form only would dilute the importance of the plenary and of ministerial attendance. The suggestion to have plenary discussions in programme implementation years arranged around a number of sittings on a chosen subject, in a committee-type discussion, merited further consideration. Side and special events should continue to be limited, and the role of the plenary would be improved by limiting the time for speeches by committee reporters and committee officers.

The committees should start work early in the first week, preferably Tuesday morning. The suggestion in paragraph 20 of the paper for technical preparatory conferences required further clarification. It was not clear what the outcome of such a meeting would be, to which body the report would be submitted and what would be the follow-up procedure. In addition, this approach could have significant cost implications for the Office and for governments, which might have to pay for additional technical advisors. The advantages of extending committee discussions over a longer period were doubtful. Efforts should be directed at a more efficient and effective use of the current time allotted to committee work.

IMEC had previously endorsed better use of information technology and the need for orientation sessions for chairpersons as well as appropriate training for staff. Holding early consultations aimed at identifying qualified chairpersons for the 2003 ILC would also be a positive step.

Extending the sittings of the Resolutions Committee to full days would not improve the functioning of that body, but current committee procedures might well merit review. The representatives of civil society should be allotted time to speak in Conference committees in accordance with the rules established by the Governing Body. Any proposals on the rationalization of document production and distribution would be welcome; the Office might consider issuing all Conference reports in a standard size and format.

These issues should be followed up in a paper for discussion in the Committee on Legal Issues and International Labour Standards at the forthcoming March 2003 Session of the Governing Body, with a view to the introduction of reforms at the June 2004 International Labour Conference.

A Government representative of the Republic of Korea, on behalf of the Asia-Pacific group of governments, said that no matter whether the option of a working party or that of
informal consultations were chosen, the views of the governments should be communicated to the secretariat so that the Office could prepare a paper on this issue for the next Governing Body.

There was a need to improve the operation of the Conference. The current discussion should focus on improving its efficiency within the existing framework, without compromising the scope and intensity of discussions. The overall length of the Conference could be reduced through sound governance. As it was, its expense placed a heavy burden on member States and the Organization. Rather than by changing fundamental methods of work, one or two working days could be cut from the committees by respecting the starting times of meetings more strictly. The committees operated inefficiently by failing to respect schedules in the first week. It would not be difficult to avoid wastage and inefficiency in production and distribution of Conference documents, for example by introducing vouchers or credit notes for delegates that could be used for obtaining their document set. The Office should hold more consultations with the regional coordinators and the Employers' and Workers' groups on issues relating to the organization of the Conference.

A Government representative of the Islamic Republic of Iran endorsed the statement made by the Asia-Pacific group.

A Government representative of India also supported that statement. His Government was not in favour of the proposal to submit speeches in writing. This would only undermine the importance of the Conference.

A Government representative of China endorsed the statement made by the Asia-Pacific group. The Conference should not be concluded hastily for the sake of a reduction in length. Ministers and representatives of workers and employers came from their member States to address the Conference and exchange experiences. It would be inappropriate merely to submit speeches in writing. On the other issues, the suggestions put forward in paragraph 14 of the document could be used as a basis for discussion.

The current arrangements for the discussion of social policy reports should be retained. The suggestions put forward in paragraph 16 on time limits for speeches by reporters or officers of the various committees were positive, and could shorten the Conference by a day. Committees should start their work immediately after the opening ceremony of the Conference, given that delegates were already in Geneva for this ceremony. Prolonging the duration of the Resolutions Committee was inappropriate and unnecessary.

The existing rules and practices with regard to the participation of NGOs should be retained, and the Office should submit a detailed report to the next Governing Body, based on the discussion of the present meeting, explaining possible reforms and related legal, financial and other issues.

A Government representative of Brazil welcomed the initiative to promote informal consultations and a study on the working methods of the Committee on the Application of Standards, to be dealt with at the next Conference. The possibility should be analysed of regional and government coordinators actively participating in the selection of individual cases and changing the way in which the automatic cases were introduced, because they took up a considerable amount of time.

The current length of the Conference was good, but ways should be devised to make the best possible use of the time available with the utilization of computer technology and by enabling staff members to guide the committees in their work. The reports should be adopted on the Saturday of the second week to avoid the Conference plenary being forced to take controversial decisions under severe time pressure. Submitting plenary speeches in
writing would damage the exchange of views among delegations. The committees could begin their work earlier in order to make best possible use of the time available and their reporters should render their reports within reasonable time limits. Establishing preparatory technical conferences or parallel groups during the Conference would increase costs for delegations and the Organization, increasing the number of technical advisors necessary. The proposals made at the current meeting could be discussed at the 286th Session in March.

A Government representative of Japan supported the IMEC and Asia-Pacific statements. The Conference should be more efficient and shortened. There was a need for NGO input but not so many organizations should participate in the Conference discussions. As the document pointed out in its paragraph 27, “revision of existing rules and practices would be required” if more NGO participation was to be allowed.

A Government representative of South Africa said that the present duration of the Conference should be maintained. However, further options needed to be explored to ensure that the Conference covered the work effectively and efficiently.

Given the difficulties committees had in completing their work within the maximum number of sittings available to them, the Office should consider reducing the technical committees to one standard-setting committee or one single or double discussion committee within the integrated approach. This would allow the Office to allocate effectively the resources required by the integrated approach and would also reduce the burden imposed on the Office in producing provisional records. The Office should explore the legal implications of such an arrangement.

The report on programme implementation was important in allowing member States to express their views and to measure the impact of policy decisions related to the implementation of activities. The Office should examine the possibility of a committee-type discussion. High-level tripartite participation should not be compromised.

The Resolutions Committee was important for the future work of the Organization and the time allocated for the committee should be increased to full days.

If the proposal to obtain nominations of the chairpersons of the 2003 Conference committees before the end of 2002 were to be agreed upon, the Office should take account of the timing of the consultative processes of the African Union’s Labour and Social Affairs Commission, which unfortunately only convened in April of each year.

The Employer Vice-Chairperson said the Employers would provide their input on reform of the Conference in writing by a date fixed by the Office. Before the production of a document, it would be preferable to hold informal consultations.

The Worker Spokesperson made the commitment that the content of the Workers’ discussions on the Conference would be shared with governments, through the regional coordinators, the Employers and the Office.

The representative of the Director-General noted that on the basis of the current discussion, it would be extremely difficult to make any significant changes for the Conference in 2003. One item to be debated was the way in which the Global Report would be discussed, and this would be on the agenda of the LILS Committee in March 2003.

The Office noted some of the points made regarding the technical and practical planning for the next Conference, but, given the deadline for sending out the Memorandum to conference participants, it was too late to change the Conference in 2003. Further
consultations could be held in the autumn of 2003 or spring 2004. By "consultations" the Office meant that it was always available for discussions with the regional groups and the Workers' and Employers' groups. Periodically the Office held consultations to which delegations from the Employers' and Workers' groups were invited, chaired by the Chairpersons of those groups, to focus on specific issues. Meetings with Government groups were held at the same time.

Regarding the question raised by IMEC regarding the informal consultations on the working methods of the Committee on the Application of Standards, these would probably take place in the third week of February 2003; if the groups had written contributions, these would be appreciated by the end of January 2003.

_The Governing Body took note of the report._

_The sitting closed at 6.55 p.m._
SEVENTH SITTING

Friday, 22 November 2002, morning

The sitting opened at 11 a.m., with Lord Brett in the Chair.

Eighteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL (concl.)

A Worker member from Sweden referred to the denunciation by Norway of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96). When governments denounced Conventions they should also include information concerning the views of the social partners, indicating whether they were for or against the denunciation. This information would be valuable for the Office in its subsequent investigation of the relevance of labour standards. In reporting on its denunciation, the Government of Australia had specifically referred to the consultations it had held.

The representative of the Director-General stated that the Office would explore this proposal.

The Governing Body took note of the report.

Tenth item on the agenda

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

First report: Financial questions

The Governing Body adopted the recommendation in paragraphs 44, 45, 53, 54, 63, 67, 118, 119, 120, 121, 122, 141, 142, 143 and 146.

A Government representative of Saudi Arabia stressed the importance of translation of documents into Arabic. Several members of the Governing Body came from Arabic-speaking countries. It seemed entirely logical and fair for that language to be given its consideration.

The Employer Vice-Chairperson endorsed the position of the Government of Saudi Arabia.

Second report: Personnel questions

The Governing Body adopted the recommendations in paragraphs 1, 2, 37 and 54.

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1 See also first and second sittings
Eleventh item on the agenda

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

First report: Legal issues

The Governing Body adopted the recommendation in paragraph 16.

Second report: International labour standards and human rights

The Governing Body adopted the recommendations in paragraphs 47 and 66.

The Chairperson informed the Governing Body of various communications that had been received by the Office, regarding a proposal to hold a special sitting at the Conference in June 2003 to discuss the appendix to the Director-General's Report on the situation of workers of the occupied Arab territories. At this stage, the Governing Body was called on to approve the inclusion of an item to this effect on the agenda for its 286th Session in March 2003.

It was so decided.

The Worker spokesperson reported that, during the Workers' group meetings, the Workers had been informed of significant suffering in Côte d'Ivoire, among the people generally and the workforce in particular. He hoped that the Workers' call for peace in the country would be endorsed by the Employers and the Governments, so that the Worker member from Côte d'Ivoire could take back the sentiment that the ILO supported the call of the workers of Côte d'Ivoire for peace in that country.

Thirteenth item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

The Governing Body adopted the recommendations in paragraphs 72, 94 and 146

Sixteenth item on the agenda

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSION OF GLOBALIZATION

The Chairperson's oral report of the Working Party had been circulated in printed form in the Governing Body room. The Officers of the Working Party had met to discuss the agenda for the forthcoming March meeting. They encouraged the Director-General to continue inviting prominent guest speakers to address the Working Party, but to limit invitations to one speaker only in order to allow a substantive exchange of views. The name of the speaker, and his or her chosen theme, should be communicated early enough to allow the Working Party to prepare for the discussion. Ninety minutes should be allocated to this part of the agenda, which should include question time. The Director-General should brief the Working Party on the work of the World Commission, to enable it to comment and provide advice. The afternoon sitting should be devoted to a two-part discussion on the theme of governance, social partnership and globalization, to be initiated in March 2003, with a concept paper outlining issues, in preparation for a second, fuller discussion in the following November. The discussions should be of interest to the Subcommittee on Multinational Enterprises.
The Working Party had also examined other topics on which the Office should be working, and had decided that these should include corporate social responsibility. The Office should put together an information paper on the subject, to allow the Working Party to consider whether this would be a suitable future agenda item. The second possible future item on which the Working Party wanted more information was export processing zones, an issue which the Employment and Social Policy Committee had had on its agenda — although it had not been able to discuss it for lack of time. That issue could perhaps be taken up by the Working Party, in the light of the deliberations of the ESP Committee. Thirdly, the Office should continue its work on portfolio investment, and submit more information on this topic to the Working Party for its consideration. The Officers of the Working Party should meet again in March to discuss the contents of the November 2003 meeting and also the meeting to be held in March 2004.

The Employer Vice-Chairperson took note of the written version of the oral report. To avoid any overlap within the committees, the Governing Body should be informed on the debates carried out in the Subcommittee on Multinational Enterprises and the Committee on Employment and Social Policy.

The Governing Body took note of the report.

Twentieth item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

The Governing Body adopted the recommendations in paragraphs 3, 6, 9, 12, 14, 18, 21, 22, 23, 24, 25 and 27.

A Government representative of Colombia expressed the gratitude of the Government of Colombia for the objectivity and diplomatic skill with which the meeting had been chaired. He also repeated the commitments and expressions of determination expressed by the Vice-President of Colombia at the meeting.

The session closed at 11.50 a.m.
Annexe / Appendix / Anexo

285e session – Genève – novembre 2002
285th session – Geneva – November 2002
285.ª reunión – Ginebra – noviembre de 2002

Liste des personnes assistant à la session
List of persons attending the session
Lista de las personas presentes en la reunión

Membres gouvernementaux titulaires
Government members
Miembros gubernamentales titulares

Afrique du Sud  South Africa  Sudáfrica

Mr. M. MDLADLANA, Minister of Labour.

accompanied by:

Mr. L. KETTLEDAS, Deputy Director-General, Department of Labour.
Mr. G. NENE, Ambassador and Permanent Representative, Permanent Mission, Geneva.
Ms. L. LUSENGA, Counsellor (Labour), Permanent Mission, Geneva.

Arabie saoudite  Saudi Arabia  Arabia Saudita

Mr. A. AL HADLAQ, Director-General, International Organizations Affairs, Ministry of Labour and Social Affairs.
substitute(s):

Mr. A. AL-OMARI, Specialist, International Organizations Directorate, Ministry of Labour and Social Affairs.

Mr. P. KOLAROV, Minister Plenipotentiary, Permanent Mission, Geneva.

Mr. K. ANDREEV, Director of Human Rights and International Organizations Directorate, Ministry of Foreign Affairs.

accompanied by:

Ms. A. TCHOLASHKA, Head of International Relations Department, Ministry of Labour and Social Policy.


Ms. K. SREDKOBA, Professor, St. Clement Ohridski University.

substitute(s):

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Mr. K. ANDREEV, Director of Human Rights and International Organizations Directorate, Ministry of Foreign Affairs.

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Ms. K. SREDKOBA, Professor, St. Clement Ohridski University.

Bahamas

Mr. D. SYMONETTE, Under Secretary, Ministry of Labour and Immigration.

Ms. C. ASSUMPÇÃO DO VALLE PEREIR A, Ambassador and Deputy Permanent Representative, Permanent Mission, Geneva.

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accompanied by:

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Ms. M. GOMES DOS SANTOS, Head of the International Relations Department, Ministry of Labour and Employment.

Mr. O. VIEIRA, First Secretary, Permanent Mission, Geneva.

Mr. F. COSTI SANTAROSA, Second Secretary, Permanent Mission, Geneva.

Mr. S. PAIXÃO PARDO, Head of International Organizations Division, Ministry of Labour and Employment.

Brésil  Brazil  Brasil

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Mr. D. DONGWEN, Second Secretary, Permanent Mission, Geneva.

Bulgarie  Bulgaria  Bulgaria

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Mr. A. EVTIMOV, Director of European Integration and International Relations Directorate, Ministry of Labour and Social Policy.

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Mr. D. LEE, Assistant Director, International Cooperation Division, Ministry of Labour.
Mr. S. SHIN, Labour Inspector, International Cooperation Division, Ministry of Labour.

République dominicaine
Dominican Republic
República Dominicana

Sr. M. GUEVARA, Secretario de Estado de Trabajo.

suplente(s):
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Sr. R. NUÑEZ C., Embajador, Misión Permanente, Ginebra.

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Sra C. PINÉYRO, Asistente del Secretario de Trabajo.
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M. M. RAMOND, Inspecteur Général honoraire des Affaires sociales.
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Italie
Italy
Italia

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Lituanie  Lithuania  Lituanie

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La République du Mali  Mali  Malí

M. M. DIAKITE, Ministre du Travail et de la Fonction Publique.

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Sr. G. ALBÍN, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s) :

Sr. P. MACEDO, Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sra S. ROVIROSA, Ministro, Misión Permanente, Ginebra.

Sra C. ROCK, Subcoordinadora de Política Laboral Internacional, Secretaría del Trabajo y Previsión Social.

Sra D. VALLE, Consejero, Misión Permanente, Ginebra.

Sra G. MORONES, Directora para la OIT, Secretaría del Trabajo y Previsión Social.

Nigéria  Nigeria  Nigeria

Mr. A. MUSA GWADABE, Minister of Employment, Labour and Productivity.

substitute(s):

Mr. O. OMOTADE, Permanent Secretary, Federal Ministry of Employment, Labour and Productivity.

Mr. M. ATILOLA, Director, TUSIR Department.

accompanied by:

Mr. A. SALEH, Director, PRS.

Ms. H. ADABA, Director, Inspectorate.

Mr. A. MUHAMMAD, Special Assistant to the Minister.

Ms. R. ZULAI, Director, F&S.

Mr. I. ADETOLA, Assistant Director of Labour.

Mr. M. ADEYEMO, Chief Administration Officer, SA to PS.

Mr. P. AJUZIE, Assistant Chief Labour Officer.

Mr. V. JEMIDE, Principal Labour Officer.

Dr. A. RUFAY MUHAMMAD, Managing Director, NSITF.

Mr. S. ADELODUN, Director-General, NDE.

Dr. S. AJAYI, Director-General, NPC.

Ms. B. BOBBY-DIEI, Chairman, IAP.

Mr. J. JEMINIWA, Director, MIVLS.

Ms. O. SHOGBOLA, Chief Registrar, NIC.
Mr. A. SALAMI, Deputy Chairman, Senate Committee on Labour.
Mr. U. EKWE, Vice-Chairman, House of Assembly Committee on Labour.

Norvège  Norway  Noruega

Mr. S. JOHANSEN, Ambassador, Permanent Mission, Geneva.

substitute(s):
Mr. O. VIDNES, Counsellor, Permanent Mission, Geneva.
Mr. O. BRUAAS, Adviser, Ministry of Labour and Government Administration.

accompanied by:
Ms. A. HEM, Senior Executive Officer, Ministry of Foreign Affairs.

Pakistan  Pakistan  Pakistán

Mr. S. UMER, Ambassador, Permanent Mission, Geneva.

accompanied by:
Mr. A. BASIT, Counsellor, Permanent Mission, Geneva.
Mr. Q. KHALILULLAH, Counsellor, Permanent Mission, Geneva.
Mr. I. HUSSAIN, Counsellor, Permanent Mission, Geneva.
Mr. F. KHAN, Second Secretary, Permanent Mission, Geneva.

Royaume-Uni  United Kingdom  Reino Unido

Ms. F. KILPATRICK, Head of the ILO Team, ILO and UN Team, Department for Work and Pensions and the Department for Education and Skills.
Mr. S. FULLER, Ambassador and Permanent Representative, Permanent Mission, Geneva.

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Mr. S. RICHARDS, Senior Executive Officer, Joint International Unit, Department for Work and Pensions and the Department for Education and Skills.

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Ms. M. NIVEN, Head of International Relations Division, Joint International Unit, Department for Work and Pensions and the Department for Education and Skills.
Ms. A. JOHNSON, Policy Adviser, International Relations Division, Joint International Unit, Department for Work and Pensions and the Department for Education and Skills.
Ms. J. WALKER, Head of Social Development Department, Department for International Development.
Ms. M. CUSHION, Programme Adviser, Social Development Department, Department for International Development.
Mr. A. ONI, Adviser, International Relations Division, Department for Work and Pensions and the Department for Education and Skills.
Mr. K. GRAY, Adviser, International Relations Division, Joint International Unit, Department for Work and Pensions and the Department for Education and Skills.
Ms. S. COTTON, Second Secretary, Specialised Agencies, Permanent Mission, Geneva.
Mr. S. MOIR, Attaché, Permanent Mission, Geneva.
Mr. S. PENNEY, Adviser.

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Mr. Y. LIUBLIN, First Deputy Minister of Labour and Social Development.

accompanied by:

Mr. A. BAVYKIN, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr. S. LUKYANENKO, Head of Division, Ministry of Labour and Social Development.

Mr. K. SHAKHMURADOV, Senior Counsellor, Permanent Mission, Geneva.

Mr. P. CHERNIKOV, Counsellor, Permanent Mission, Geneva.

Mr. V. POSPELOV, Counsellor, Department of Economic Cooperation, Ministry of Foreign Affairs.

Mr. V. STEPANOV, Head of Section, Ministry of Labour and Social Development.

Mr. M. MLJSIKHIN, Third Secretary, Permanent Mission, Geneva.

Mr. V. STEPANETS, Senior Expert, Ministry of Labour and Social Development.

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Uruguay

Sr. S. PÉREZ DEL CASTILLO, Ministro de Trabajo y Seguridad Social.

suplente(s):

Sr. C. PÉREZ DEL CASTILLO, Embajador, Misión Permanente, Ginebra.

Sr. M. ALBURQUERQUE, Asesor Técnico, Asesoría en Relaciones Internacionales, Ministerio de Trabajo y Seguridad Social.

acompañado(s) de:

Sr. F. LUGRIS, Segundo Secretario, Misión Permanente, Ginebra.

Srta. A. BELLIS, Segundo Secretario, Misión Permanente, Ginebra.

Sr. C. PEREIRA, Misión Permanente, Ginebra.

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Soudan Sudan Sudán

Mr. A. MAGAYA, Minister of Labour and Administrative Reform.

accompanied by:

Mr. I. IBRAHIM, Ambassador, Permanent Mission, Geneva.

Mr. A. EL HASSAN, Director, International Relations, Ministry of Labour and Administrative Reform.

Mr. C. JADA, Second Secretary, Permanent Mission, Geneva.
Argentina

Sra. N. RIAL, Secretaria de Trabajo.

Suplente(s):
Sr. A. CHIARADIA, Embajador, Misión Permanente, Ginebra.

Acompañado(s) de:
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Sr. P. GALIN, Asesor de la Secretaría de Trabajo, Ministerio de Trabajo, Empleo y Seguridad Social.
Sr. E. VARELA, Consejero, Misión Permanente, Ginebra.

Bangladesh

Mr. A. TOUFIQ, Embajador, Permanente Mission, Geneva.

Acompañado by:
Mr. K. HOSSAIN, Counsellor, Permanente Mission, Geneva.
Mr. T. RAHMAN, Third Secretary, Permanente Mission, Geneva.

Barbade

Ms. E. LOWE, Chief Labour Officer, Labour Department.
Mme J. ZIKMUNDOVA, Conseillère, Mission permanente, Genève.
M. P. NAYER, Délégué de la Communauté française de Belgique et de la Région wallonne à Genève.

Burundi

M. D. NDITABIRIYE, Ministre du Travail et de la Sécurité sociale.

suppléant(s) :
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accompagné(s) de:
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Cameroun Cameroon Camerún

M. R. NKILI, Ministre de l'Emploi, du Travail et de la Prévoyance sociale.
M. J. MBAPPE EPANYA OTTO, Directeur du Travail, Ministère de l'Emploi, du Travail et de la Prévoyance sociale.

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M. P. BODOU, Conseiller technique au Secrétariat Général des Services du Premier Ministre, Chef du Gouvernement.
Mme C. NYANGANG, Chargée de Mission au Secrétariat Général, Présidence de la République.
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Canada Canada Canadá

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Mr. I. FERGUSON, Minister and Deputy Permanent Representative, Permanent Mission, Geneva.
Ms. L. HOANG, Conseillère, Section des agences spécialisées de l'ONU, Ministère des Affaires étrangères et du Commerce international.
Ms. S. FORTIN, Conseillère, Agent principal des Affaires internationales du travail, Labour Program, Human Resources Development Canada.
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El Salvador

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Espagne  Spain  España

Sr. J. MARÍ OLANO, Subsecretario de Trabajo y Asuntos Sociales.

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Sra S. CÁMARA ANGULO, Consejera diplomática, Misión Permanente, Ginebra.
Sr. R. GARCÍA CONDE, Consejero Laboral adjunto, Misión Permanente, Ginebra.

Iran, Rép. islamique
Islamic Republic of Iran
República Islámica del Irán

Mr. M. SALAMATI, Deputy Labour Minister for Coordination and International Affairs, Ministry of Labour and Social Affairs.
Mr. P. SA'ADATI, Director-General, International Relations Bureau, Ministry of Labour and Social Affairs.

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Mr. M. A'BEDI, Senior Expert for Regional Activities, Ministry of Labour and Social Affairs.
Mr. H. MAHAMMADZADEH, Labour Inspectorate Department, Ministry of Labour and Social Affairs.

Ethiopie  Ethiopia  Etiopía

Mr. F. YIMER, Ambassador, Permanent Mission, Geneva.

acompañado by:
Mr. S. NMENGESHA, Counsellor, Permanent Mission, Geneva.
Ms. W. TADESSE, First Secretary, Permanent Mission, Geneva.
Mr. E. GOTTA SEIFU, First Secretary, Permanent Mission, Geneva.

Ghana

Ms. C. BANNERMAN, Minister of Manpower Development and Employment.

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Mr. J. MWANZIA, Labour Officer (ILO Duties), Ministry of Labour and Human Resource Development.

Malawi

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accompanied by:
Mr. Z. KAMBUTO, Labour Commissioner, Ministry of Labour and Vocational Training.

Luxembourg

M. J. ZAHLEN, Premier Conseiller de Gouvernement, Ministère du Travail et de l'Emploi.

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M. J. BERG, Ministère du Travail et de l'Emploi.
Mme M. PALAZZARI, Ministère du Travail et de l'Emploi.
M. M. GODEFROID, Premier Secrétaire, Mission permanente, Genève.
M. P. FINZI, Attaché à l'Inspection du travail et des mines.

Niger

M. S. KASSEY, Ministre de la Fonction publique et du Travail.

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New Zealand

Mr. C. ARMITAGE, Principal Adviser, Office of the Chief Executive, Department of Labour.

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accompanied by:
Mr. T. CAUGHLEY, Permanent Representative, Permanent Mission, Geneva.

Oman Oman Omán

Mr. A. AL-ABDUWANI, Advisor to the Minister for Manpower Planning, Ministry of Manpower.

accompanied by:
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Mr. A. AL-QASSIMI, First Secretary, Permanent Mission, Geneva.
Mr. Z. AL-SA'ADI, First Secretary, Permanent Mission, Geneva.

Mr. Y. ONG, Director, Labour Relations and Welfare Division, Ministry of Manpower.

accompanied by:
Ms. P. LOW, Manager, Human Capital Development Division, Ministry of Manpower.
Mr. S. ONG, Second Secretary, Permanent Mission, Geneva.

Philippines Filipinas

Mr. D. LEPATAN, Deputy Permanent Representative Permanent Mission, Geneva.
Ms. Y. PORSCHWITZ, Labor Attaché, Permanent Mission, Geneva.

Mr. V. DIMOVSKI, Minister of Labour, Family and Social Affairs.
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Ms. S. CUJOVIC, State Under-Secretary, Head of International Relations and European Affairs Department, Ministry of Labour, Family and Social Affairs.
Mr. S. SEDMAK, Under-secretary, Employment Department, Ministry of Labour, Family and Social Affairs.
Ms. T. CESEN, Adviser, Employment Department, Ministry of Labour, Family and Social Affairs.
Ms. B. FORSTNARIC, Adviser, International Relations and European Affairs Department, Ministry of Labour, Family and Social Affairs.

Roumanie Romania Rumania

Mme A. FILIP, Ambassadeur, Mission permanente, Genève.

accompagné(s) de:
M. P. DUMITRIU, Ministre conseiller, Mission permanente, Genève.
Mme C. MAGHERUSAN, Directeur, Direction des Relations internationales, Ministère du Travail et de la Solidarité sociale.
Mme G. CONSTANTINESCU, Deuxième secrétaire, Mission permanente, Genève.
Mr. S. AYRIM, Deputy Undersecretary, Ministry of Labour and Social Security.

Venezuela

Sr. R. CANO-MANUEL, Director General del Trabajo, Ministerio del Trabajo.

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Sra B. PORTOCARRERO, Embajadora, Misión Permanente, Ginebra.
Sr. R. DARIO MOLINA, Director de Relaciones Internacionales y Enlace con la OIT, Ministerio del Trabajo.

acompañado(s) de :
Sra M. HERNANDEZ, Consejero, Misión Permanente, Ginebra.
Sr. W. SANTANA, Primero Secretario, Misión Permanente, Ginebra.

Viet Nam

Mr. Q. NGUYEN, Ambassador, Permanent Mission, Geneva.

accompanied by:
Mr. M. NGUYEN, Deputy Director, Department of International Relations, Ministry of Labour, Invalids and Social Affairs.
Mr. H. VU, Counsellor, Permanent Mission, Geneva.
M. B. BOISSON (France), Conseiller social, Mouvement des Entreprises de France (MEDEF).
Mr. A. DAHLAN (Saudi Arabia), Representative, Council of Saudi Chamber of Commerce and Industry.
Sr. J. DE REGIL (México), Vicepresidente, Comisión de Trabajo, Confederación de Cámaras Industriales de los Estados Unidos Mexicanos.
Sr. D. FUNES DE RIOJA (Argentina), Vicepresidente del Consejo de Administración de la OIT, Presidente del Departamento de Política social, Unión Industrial Argentina (UIA).
Mr. E. HOFF (Norway), Director, International Employer Relations, Confederation of Norwegian Business and Industry.
Ms. R. HORNUNG-DRAUS (Germany), Director, European Affairs and International Social Policy, Confederation of German Employers' Associations (BDA).
Mr. A. JEETUN (Mauritius), Director, Mauritius Employers' Federation.
Mr. M. LAMBERT (United Kingdom), Human Resources Consultant, C/- Fiat UK Limited.
M. A. M'KAISSI (Tunisie), Conseiller Directeur central, Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).
Mr. T. NILES (United States), President, United States Council for International Business.
Mr. B. NOAKES (Australia), Advisor, International Affairs, Australian Chamber of Commerce and Industry.
Mr. T. SUZUKI (Japan), Managing Director, Nikkeiren International Cooperation Center.
Mr. A. TABANI (Pakistan), President, Employers' Federation of Pakistan.
M. Y. WADE (Sénégal), Président, Conseil national du Patronat du Sénégal.
Membres employeurs adjoints  
Deputy Employer members  
Miembros empleadores adjuntos

Mr. I. ANAND (India), Chairman, Shivathene Corporate Centre.
M. M. BARDE (Suisse), Secrétaire général, Fédération des syndicats patronaux.
Mr. J. BOTHA (South Africa), Business South Africa.
Mr. N. CHO (Republic of Korea), Vice-Chairman, Korea Employers' Federation.
Sr. B. DE ARBELOA (Venezuela), Promotores y Consultores Asociados.
Sr. F. DÍAZ GARAYCOA (Ecuador), Asesor Jurídico, Federación Nacional de Cámaras de Industrias del Ecuador.
Mr. O. EREMEEV (Russian Federation), Director-General, Coordinating Council of Employers' Unions of Russia (CCEUR).
M. G. GLÉLÉ (Bénin), Président, Conseil National du Patronat du Bénin.
Mr. W. HILTON-CLARKE (Trinidad and Tobago), Vice-Chairman, Employers Consultative Association of Trinidad and Tobago.
Ms. L. HORVATIC (Croatia), Head of International Relations, Croatian Employers' Association.
Ms. R. KARIKARI ANANG (Ghana), Executive Director, Ghana Employer's Association.
Sr. J. LACASA ASO (España), Director, Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).
Mr. J. LAWSON (Canada), President, Canada Employers' Council.
Mr. D. LIMA GODOY (Brazil), Vicepresident, Confederación Nacional de la Industria (CNI).
Mr. K. MATTAR (United Arab Emirates), Board Director, Federation of Chambers of Commerce and Industry.
M. E. MEGATELI (Algérie), Secrétaire général, Confédération générale des opérateurs économiques algériens.
Mr. V. NATHAN (Malaysia), Vice President, Malaysian Employers' Federation (MEF).
Sr. G. RICCI (Guatemala), Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF).
M. F. SANZOUANGO (Cameroun), Secrétaire général, Groupement interpatronal du Cameroun (GICAM).
Mme L. SASSO MAZZUFFERI (Italie), Conseiller spécial des affaires internationales, Confédération générale des employeurs d'Italie, CONFINDUSTRIA.

***

Mr. D. LEE, accompanying Mr. Cho.
Lord BRET'T (United Kingdom), Chairperson of the Governing Body of the ILO.
Ms. S. BURROW (Australia), President, Australian Council of Trade Unions.
Mr. U. EDSTRÖM (Sweden), Head of International Department, Swedish Trade Union Confederation (LO-S).
Ms. U. ENGELEN-KEFER (Germany), Vice-President, German Confederation of Trade Unions (DGB).
Mr. S. ITO (Japan), Adviser, Japanese Trade Union Confederation - JTUC RENGO.
Mr. K. JAKOBSEN (Brazil), Secretary, International Relations, Central Unica dos Trabalhadores.
M. B. MAHAN GAHE (Côte d'Ivoire), Secrétaire général permanent, Confédération DIGNITE.
Mr. A. OSHIOMHOLE (Nigeria), President, Nigeria Labour Congress (NLC).
M. J. PARROT (Canada), Vice-Président exécutif, Congrès du Travail du Canada.
Mr. Z. RAMPAK (Malaysia), Secretary-General, Transport Workers' Union.
M. A. SIDI SAID (Algérie), Secrétaire général, Union générale des Travailleurs algériens.
Mr. E. SIDOROV (Russian Federation), International Secretary, Federation of Independent Trade Unions of Russia (FITUR).
Sr. J. URBIETA (Venezuela), Director General, Instituto de Altos Estudios Sindicale de la Confederación de Trabajadores de Venezuela.
Mr. J. ZELLHOEFER (United States), European Representative, AFL-CIO European Office.

***

Ms. B. BYERS accompanying Mr. Parrot.
Ms. M. HAYSHIBARA, accompanying Mr. Ito.
Mr. S. STEYNE, accompanying Lord Brett.
Mr. N. ADYANTHAYA (India), Secretary, Indian National Trade Union Congress.

Mr. K. AHMED (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.

Sra H. ANDERSON NAVAREZ (México), Secretaria de Acción Femina del Comité, Confederación de Trabajadores de México.

M. G. ATTIGBE (Bénin), Secrétaire général, Centrale des Syndicats autonomes du Bénin.

Mr. L. BASNET (Nepal), President, Nepal Trade Union Congress.

M. M. BLONDEL (France), Secrétaire général, Confédération générale du travail Force Ouvrière (CGT-FO).

Ms. C. BRIGHT (Italy), Assistant Director International, C.I.S.L.

Mr. B. CANAK (Yugoslavia), President, United Branch Trade Unions, UGS - Nezavisnost.

Sr. R. DAER (Argentina), Secretario General, Confederación General del Trabajo.

Mme M. DE VITS (Belgique), Secrétaire générale, Fédération générale du Travail de Belgique.

Mme R. DIALLO (Guinée), Secrétaire générale, Confédération nationale des Travailleurs de Guinée (CNTG).

M. G. GHOSN (Liban), Président, Confédération générale des Travailleurs du Liban (CGTL).

M. M. KATALAY (Rép. Dém. du Congo), Président, Union nationale des Travailleurs du Congo (UNTC).

Mr. E. PATEL (South Africa), National Labour Convenor, COSATU.

Mr. J. SITHOLE (Swaziland), General Secretary, Swaziland Federation of Trade Unions.

Mr. L. TROTMAN (Barbados), General Secretary, Barbados Workers' Union, and Spokesperson for the Workers' Group.

Mr. T. WOJCIK (Poland), National Commission Member, Solidarnosc.

Mr. X. XU (China), Vice Chairman, All-China Federation of Trade Unions.

Ms. H. YACOB (Singapore), Assistant Secretary General, National Trade Unions Congress.

* * *

Mr. G. FUXIANG, accompanying Mr. Xu.
Representatives of other member States of the Organization present at the session

Albania

Mr. V. THANATI, Ambassador, Permanent Mission, Geneva.
Ms. P. GOXHI, First Secretary, Permanent Mission, Geneva.

Australia

Ms. J. FFRENCH, Director, International (ILO Section, Department of Employment and Workplace Relations.
Mr. L. BRODRICK, First Secretary, Permanent Mission, Geneva.

Austria

Ms. I. DEMBSHER, Federal Ministry of Economic Affairs and Labour.
Mr. P. STORER, Counsellor, Permanent Mission, Geneva.

Azerbaijan

Mr. M. NAJAFOV, Chargé d'Affaires a.i., Permanent Mission, Geneva.
Mr. I. ASADOV, Third Secretary, Permanent Mission, Geneva.

Chile

Sr. J. VEGA, Embajador, Misión Permanente, Ginebra.
Sr. P. PRADEL, Consejero, Misión Permanente, Ginebra.
Sr. M. BARRERA, Agregado Laboral, Misión Permanente, Ginebra.

Colombia

Sr. F. SANTOS CALDERÓN, Vicepresidente de la República de Colombia.
Sr. C. REYES RODRIGUEZ, Embajador, Misión Permanente, Ginebra.
Sra L. ARANGO DE BUITRAGO, Viceministra de Trabajo y Seguridad Social.
Sr. J. MESA, Director de Cooperación Internacional, Ministerio de Trabajo y Seguridad Social.
Sra V. GONZALEZ ARIZA, Ministra Consejera, Misión Permanente, Ginebra.
Sr. L. GUZMAN VALENCIA, Ministro Consejero, Misión Permanente, Ginebra.

Congo

Mme D. BIKOUTA, Premier Conseiller, Mission permanente, Genève.

Côte d'Ivoire

M. G. FLEGBO, Conseiller, Mission permanente, Genève.

Danemark

Ms. L. WANG KRISTENSEN, Counsellor, Permanent Mission, Geneva.
Ms. C. GEDE, Legal Adviser, Ministry of Employment.
Egypte  Egypt  Egipto
Ms. N. GABR, Ambassador, Permanent Mission, Geneva.
Ms. N. EL-GAZZAR, Labor Counsellor, Permanent Mission, Geneva.
Mr. A. ROUSHDY, First Secretary, Permanent Mission, Geneva.

Finlande  Finland  Finlandia
Mr. M. SALMENPERÄ, Director, Ministry of Labour.
Ms. T. RAIVO, Ministerial Adviser, Ministry of Labour.

Hongrie  Hungary  Hungría
Mr. P. KLEKNER, Head of Department, Ministry of Employment Policy and Labour.
Mr. L. FÁRI, Deputy Head of Department, Ministry of Employment Policy and Labour.
Ms. T. BOROSNÉ BARTHA, Director of International Affairs, Confederation of Hungarian Employers and Industrialists.
Mr. A. SZABADKAI, Head of Secretariat, Union of Agrarian Employers.
Ms. K. CSIMA SZALÓKINÉ, Second Secretary, Permanent Mission, Geneva.

Israël  Israel  Israel
Mr. H. WAXMAN, Counsellor, Permanent Mission, Geneva.

Madagascar
Mme Y. PASEA, Conseiller, Mission permanente, Genève.

Myanmar
Mr. U MYA THAN, Ambassador, Permanent Mission, Geneva.
Mr. U. T. AYE, Deputy Permanent Representative, Permanent Mission, Geneva.
Ms. A. MU, Counsellor, Permanent Mission, Geneva.
Mr. M. AUNG, First Secretary, Permanent Mission, Geneva.
Mr. M. THU, First Secretary, Permanent Mission, Geneva.
Mr. K. NYEIN, Second Secretary, Permanent Mission, Geneva.
Mr. S. AUNG, Chief of Chancery, Permanent Mission, Geneva.
Mr. K. LAY, Attaché, Permanent Mission, Geneva.

Panama  Panamá
Sr. J. LEDEZMA VERGARA, Secretario General, Ministerio de Trabajo y Desarrollo Laboral.
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Pays-Bas  Netherlands  Países Bajos
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Sra E. BERAUN, Segunda Secretaria, Misión Permanente, Ginebra.

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M. R. INNOCENTINI, Stagiaire, Mission permanente, Genève.

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Mme T. ROESCH, Suppléante du Chef des affaires internationales du travail, Secrétariat d'État à l'économie (SECO).
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Mme S. AMMAR, Conseiller, Mission permanente, Genève.

Saint-Siège The Holy See Santa Sede
Dr. P. GUTIÉRREZ, Conseiller technique, Mission permanente, Genève.
Representatives of international governmental organizations
Representantes de organizaciones internacionales gubernamentales

Nations Unies
United Nations
Naciones Unidas

Mr. A. SMITH SERRANO, Inter-Agency Affairs Officer, UNOG.

Programme des Nations Unies pour le développement
United Nations Development Programme
Programa de las Naciones Unidas para el Desarrollo

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Ms. S. NODA, Programme Specialist to the Administrator.
Mr. E. BONEV, Senior Adviser, UNDP Office in Geneva.
Mr. S. OERTEL, Mr., Programme Officer, UNDP Office in Geneva.

Organisation des Nations Unies pour l'education, la science et la culture
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura

Mr. G. MALEMPRE, Director, Liaison Office, Geneva.

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Office of the United Nations High Commissioner for Refugees
Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados

Mr. L. FIORETTA, External Relations Officer, Reintegration and Local Settlement Service.

Mr. M. LOFTUS, Senior Inter-Organisation Officer, Secretariat and Inter-Organisation Service.
Ms. G. O'HARA, Legal officer, Protection Policy and Legal Advice Section.
Mr. L. CURCI, Associate Inter-Organisation Officer, Secretariat and Inter-Organisation Service.

Organisation des Nations Unies pour l'alimentation et l'agriculture
Food and Agriculture Organisation of the United Nations
Organización de las Naciones Unidas para la Agricultura y la Alimentación

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Agence internationale de l'énergie atomique
International Atomic Energy Agency
Organismo Internacional de Energía Atómica

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Mr. J.-C. FAURE, President, Development and Assistance Committee.
Ms. E. ARNAL, Administrator, Employment Analysis and Policy Division.
Mr. A. DALE, Trade Directorate.

Mr. E. AMBROSI, Chargé de Mission.
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Dr. B. KEAN, Director, Department of Governance.
Mr. L. TILLFORS, External Relations Officer, Department of Governance.

WANG, Caifang, Mr., External Relations Officer.

Ms. F. DEVONIC, Chef d’Unité, Direction générale de l’Emploi et des Affaires sociales, Bruxelles.
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Ms. M.-A. CONINSX, Ministre Conseiller, Délégation permanente, Genève.
M. J.-C. BOCCON-GIBOD, Jeune expert, Délégation permanente, Genève.

Mr. R. HOLZMANN, Director of Social Protection Unit.
Ms. A. HARTMANN, Senior Adviser.
Mr. S. SHETTY, Sector Manager, Poverty Reduction and Economic Management Division.

Mr. A. KIREYEV, Senior Economist, Geneva Office.
Ms. R. KHEMANI, Senior Economist, IMF Offices, Europe.

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Mme. A. HILAL, Délégation permanente à Genève.

M. S. ALFARARGI, Ambassadeur, Permanent Observer.
M. M. MOUAKI BENANI, Conseiller.
M. O. EL-HAJJE, Attaché.

Mme. S. ASIMENYE KALINDE, Ambassador and Permanent Observer
Mr. I. MENSA BONSU, Minister-Counsellor.
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<td>Mr. D. CUNNIAH, Director, Geneva Office.</td>
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