CONTENTS

Information

Membership of the International Labour Organization: Brunei Darussalam ........................................ 1
298th Session of the Governing Body of the International Labour Office
   (Geneva, 27-30 March 2007) ................................................................. 2
Official measures taken regarding decisions of the International Labour Conference ...................... 20
   Instrument for the Amendment of the Constitution of the International Labour Organisation, 1997
      — Ratifications and acceptance ....................................................... 20
   International labour Conventions — Ratifications and notification ........................................... 21

Documents

Memorandum of Understanding between the Southern African Development Community
   and the International Labour Organization ....................................................................... 23
Tripartite Meeting on Labour and Social Issues arising from Problems of Cross-border Mobility
   of International Drivers in the Road Transport Sector (Geneva, 23-26 October 2006)
      — Conclusions adopted ................................................................. 26

Office publications and documents

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publications and documents, the ILO publications list will be sent to them free of charge. A complete catalogue
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CH-1211 Geneva 22, Switzerland.
INFORMATION

Membership of the International Labour Organization

By virtue of article 1, paragraph 3, of the Constitution of the International Labour Organisation and article 27 of the Standing Orders of the International Labour Conference, a member of the United Nations Organization may become a Member of the International Labour Organization by communicating to the Director-General of the ILO its formal acceptance of its obligations under the Constitution of the ILO.

BRUNEI DARUSSALAM

By a communication of 4 January 2007, the original of which was received on 17 January 2007, the Government of Brunei Darussalam, a member State of the United Nations, communicated to the Director-General of the ILO its formal acceptance of the obligations under the Constitution of the International Labour Organisation. Brunei Darussalam accordingly became the 180th Member of the International Labour Organization on 17 January 2007.
The 298th Session of the Governing Body of the International Labour Office was held from Tuesday, 27 to Friday, 30 March 2007, chaired by Mr Membathisi M. S. Mdladlana, Minister of Labour of the Republic of South Africa.

The agenda was as follows:

1. Approval of the minutes of the 297th Session of the Governing Body.¹
2. Date, place and agenda of the International Labour Conference.
   — Date of the 97th Session (2008) of the International Labour Conference.²
3. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.
4. Developments in the United Nations.³
5. Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29).
6. Measures taken by the Government of Belarus to implement the recommendations of the Commission of Inquiry established to examine the observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Supplementary reports
— International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources.

¹ The Governing Body approved the minutes of its 297th Session, as amended.
² The Governing Body noted that the 97th Session (2008) of the International Labour Conference (ILC) would, in principle, be held from Wednesdays, 28 May to Friday, 13 June 2008, and also noted that these provisional dates were subject to the decision to be adopted by the Governing Body in November 2007 on the format of future sessions of the Conference and to the final decision that the Executive Board of the World Health Organization (WHO) would adopt in May 2007 regarding the exact date of the World Health Assembly in 2008, on which the installation of the ILC Secretariat in the Palais des Nations would depend.
³ The Governing Body took note of the three reports.
⁴ The Governing Body took note of the oral report presented by the Chairperson of the Working Party.
— Collaboration between the International Labour Organization and the International Organization for Standardization (ISO).
— Report of the Committee set up to examine the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35) and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made under article 24 of the Constitution of the ILO by the College of Teachers of Chile AG.
— Report of the Committee set up to examine the representation made by the Confederation of Turkish Trade Unions (TÜRK-İŞ) under article 24 of the Constitution of the ILO, alleging non-observance by the Netherlands of the Equality of Treatment (Social Security) Convention, 1962 (No. 118).
— Chief Internal Auditor position - Recommendation.

— Representation alleging non-observance by Mexico of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947 (No. 85), the Labour Administration Convention, 1978 (No. 150), the Occupational Safety and Health Convention, 1981 (No. 155), the Chemicals Convention, 1990 (No. 170), the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), and the Safety and Health in Mines Convention, 1995 (No. 176), by the Sindicato Nacional de Trabajadores de Caminos y Puentes Federales de Ingresos y Servicios Conexos.

17. Composition and agenda of standing bodies and meetings.
— International Symposium on the Role of Trade Unions in Workers' Education: The Key to Trade Union Capacity Building (Geneva, 8-12 October 2007).
— Appointment of an ILO delegation to the 50th Session of the IMO Subcommittee on Stability and Load Lines and on Fishing Vessels' Safety (London, 30 April-4 May 2007).
— Appointment of Governing Body representatives on various bodies:

Information notes.
— Approved symposia, seminars, workshops and similar meetings.1
— Requests from international non-governmental organizations wishing to be represented at the 96th Session (2007) of the International Labour Conference.

The following is an account of the action taken by the Governing Body on the above agenda.2

1 The Governing Body had before it document GB.298/Inf.2, which contained proposed symposia, seminars, workshops and similar meetings approved by its Officers.

2 For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings.
DATE, PLACE AND AGENDA
OF THE INTERNATIONAL LABOUR CONFERENCE

Agenda of the 98th Session (2009) of the International Labour Conference

The Governing Body decided that the 98th Session (2009) of the International Labour Conference would be held in Geneva, and that the following three technical items would be placed on the agenda of that session:

(i) employment and social protection in the new demographic context (general discussion based on an integrated approach);
(ii) gender equality at the heart of decent work (general discussion);
(iii) elaboration of an autonomous Recommendation on HIV/AIDS in the world of work (standard setting, double discussion).

REVIEW OF ANNUAL REPORTS UNDER THE FOLLOW-UP TO THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

The Governing Body, having examined the Introduction by the ILO Declaration Expert-Advisers to the compilation of annual reports, adopted the recommendations contained in paragraphs 27 to 29 of the document.¹

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

The Governing Body:

a) considered all the information before it, including the comments and information provided by the Permanent Representative of Myanmar. It welcomed the signing of the Supplementary Understanding between the ILO and the Government of Myanmar establishing a mechanism to enable victims of forced labour to seek redress. It also welcomed as part of a progressive building of confidence the fact that the implementation of the mechanism had begun, and that action had been taken by the authorities in those cases that involved forced labour;

b) underlined the importance of the mechanism continuing to function effectively in the context of a very serious forced labour situation. In this regard, as foreseen in the Supplementary Understanding, it was vital that the Liaison Officer had the necessary staff resources to adequately discharge the responsibilities. The Governing Body requested the Office to move quickly to assign suitable international staff to assist the Liaison

¹ The Introduction by the ILO Declaration Expert-Advisers is reproduced in document GB.298/3. Paragraphs 27 to 29 read as follows:

"We have noted a number of instances in which employers' and workers' organizations have called attention to the need for assistance to help them develop their own capacity to promote these principles and rights. We encourage the Office to do everything possible to respond to these requests, and to the donor community to assist the Office in this regard."
Officer, and requested the Government of Myanmar to extend the necessary cooperation and facilities;
c) decided to defer the question of an advisory opinion by the International Court of Justice (ICJ) on the understanding that the necessary question or questions would continue to be studied and prepared by the Office, in consultation with the constituents and using the necessary legal expertise, to be available at any time that might be necessary.

**Measures Taken by the Government of Belarus to Implement the Recommendations of the Commission of Inquiry Established to Examine the Observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)**

**Governing Body Conclusions**

The Governing Body:

a) called upon the Government of Belarus to cooperate fully with the International Labour Office for the implementation of all the recommendations of the Commission of Inquiry;
b) called upon the Government of Belarus to ensure that all employers' and workers' organizations could function freely and without interference, and obtain registration;
c) urged the Government to abandon the present concept of the draft trade union law and review all its legislation, in full consultation with all the social partners concerned, in order to ensure fully the right to organize both in law and in practice, in accordance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), so that free and independent trade unions might exercise their full rights;
d) decided to keep the developments under close review.

**Reports of the Committee on Freedom of Association**

**344th and 345th Reports**

The Governing Body examined and adopted the 344th and 345th Reports of its Committee on Freedom of Association.¹

**Reports of the Programme, Financial and Administrative Committee**

**Financial Questions**

*Appointment of the External Auditor*

Taking into account the selection process followed and the unanimous recommendation of the Selection Panel, the Governing Body decided to appoint the Auditor General of Canada as the External Auditor of the ILO for the 71st and 72nd financial periods, with the appointment to commence on 1 April 2008 for a period of four years.

Terms of reference for the review of the ILO field structure

The Governing Body approved the terms of reference for the review of the ILO field structure, and decided to finance the related expenditure, estimated at US$230,000, from savings in Part I of the budget for 2006-07 or, failing that, through Part II.

Establishment of an Independent Oversight Advisory Committee

The Governing Body decided that the Office should continue the process of consultation with a view to reaching consensus on the establishment of an Independent Oversight Advisory Committee (IOAC).

Delegation of authority under article 18 of the Standing Orders of the International Labour Conference

The Governing Body delegated to its Officers, for the period of the 96th Session (2007) of the Conference, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 70th financial period, ending 31 December 2007.

Report of the Information and Communications Technology Subcommittee

The Governing Body approved the IT Strategy on the understanding that the Office would submit for decision an updated IT Strategy to the November 2007 meeting of the Information and Communications Technology Subcommittee, account being taken of the views expressed by the members of the Subcommittee during the March 2007 discussion.

Report of the Building Subcommittee

The Governing Body:

a) authorized the Office to enter into negotiations on the possible transfer or sale of land and of the leasehold, with a view to submitting a comprehensive plan for financing the renovation of the headquarters building to the members of the Building Subcommittee for consultation prior to any decision, if necessary, by the Officers of the Subcommittee, of the Programme, Financial and Administrative Committee, and of the Governing Body;

b) decided to recommend to the International Labour Conference at its 96th Session (2007) that, in derogation of article 11.1 of the Financial Regulations, the net proceeds from any transfer or sale of land and of the leasehold in Geneva, Switzerland, be credited to the Building and Accommodation Fund and that it adopt a resolution thereon.

Tripartite Meeting of Experts on Labour Statistics

(Geneva, 3-6 December 2007)

The Governing Body approved the additional cost of the Meeting, estimated at US$118,700, and its financing from savings in Part I of the budget for 2006-07 or, failing that, through Part II.

1 See document GB.298/PFA/6.
2 See document GB.298/PFA/ICTS/1.
4 For the composition and agenda of this Meeting, see p. 16 below.
Personnel questions

Decisions of the United Nations General Assembly on the report of the International Civil Service Commission

The Governing Body noted the action taken by the Director-General to give effect to the measures adopted by the United Nations General Assembly and in particular endorse the proposals in paragraphs 6 and 9 of the report of the ICSC.\(^1\)

Matters relating to the Administrative Tribunal of the International Labour Organization

Recognition of the Tribunal’s jurisdiction by the Centre for the Development of Enterprise

The Governing Body approved the recognition of the Tribunal’s jurisdiction by the Centre for the Development of Enterprise (CDE), with effect from 30 March 2007.

Composition of the Administrative Tribunal of the ILO

The Governing Body:

a) conveyed to Mr Michel Gentot its appreciation for the services he had rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 15 years as judge, Vice-President and President of the Tribunal;

b) decided to submit to the International Labour Conference at its 96th Session (2007), a draft resolution expressing to Mr Gentot its appreciation for the services he had rendered and, in accordance with article III of the Statute of the Administrative Tribunal of the ILO, renewing the term of office of Mr Augustín Gordillo (Argentina) and Mr Claude Rouiller (Switzerland) for three years and appointing Mr Patrick Frydman (France) for a term of office of three years.\(^2\)

Programme and Budget proposals for 2008-09

The Governing Body:

a) recommended to the International Labour Conference at its 96th Session (2007) a provisional programme level of US$635,189,873, estimated at the 2006-07 budget exchange rate of 1.25 Swiss francs to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;

b) proposed to the Conference at the same session a resolution for the adoption of the programme and budget for the 71st financial period (2008-09) and for the allocation of expenses among member States in that period.\(^3\)

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\(^1\) This report is reproduced in document GB.298/PFA/19.


Report of the Government members of the Committee on Allocations Matters

Assessment of the contributions of new member States

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to propose to the Conference that:

a) the contribution of Montenegro to the ILO budget for the period of its membership in the Organization during 2006 and for 2007 be based on an annual assessment rate of 0.001 and that taking into account Montenegro's period of membership, its assessments for 2006 and 2007 be deducted from the assessments of the former Serbia and Montenegro, applicable to those years;

b) the contribution of Brunei Darussalam to the ILO budget for the period of its membership in the Organization during 2007 be based on an annual assessment rate of 0.026 per cent.¹

Scale of assessment of contributions to the budget for the 2008-09 financial period

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, that it would propose to the Conference the adoption of the draft scale of assessments for 2008 and 2009 as set out in column 3 of the appendix to GB.298/8/4 (Rev.), subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference was called upon to adopt the recommended scale.

Report of the Committee on Legal Issues and International Labour Standards

Legal issues

Standing Orders of the International Labour Conference

Status of interim provisions concerning the verification of credentials

The Governing Body decided to invite the Conference, at its 96th Session (2007), to extend the validity of the Interim provisions concerning verification of credentials until the end of the 97th Session (2008).²

Rules for Regional Meetings

11th African Regional Meeting
(Addis Ababa, 24-27 April 2007)

The Governing Body:

a) approved the derogation to article 10 to the Rules applicable to the 11th African Regional Meeting to enable the Officers of the Governing Body to address the Meeting with the permission of the Chairperson;

¹ See also p. 1.
b) authorized its Officers to invite observers to the 11th African Regional Meeting should the need arise in the interval between the present session of the Governing Body and the 11th African Regional Meeting.

International labour standards and human rights

Improvements in the standards-related activities of the ILO: From strategy to implementation

The Governing Body invited the Office to consider the comments made during the discussion and to submit a paper at its 300th Session (November 2007), based on the present discussion and further consultations, on a proposed plan of action, including additional options for the streamlining of information and reports due under article 22, such as the examination of an intensified thematic approach to non-fundamental and non-priority Conventions.

Form for reports on the application of unratified Conventions and Recommendations (article 19 of the Constitution)

Occupational Safety and Health Convention, 1981 (No. 155)
Occupational Safety and Health Recommendation, 1981 (No. 164)

The Governing Body adopted the report form on the application of unratified Conventions and Recommendations (article 19 of the ILO Constitution) on the abovementioned instruments.


The Governing Body:

a) took note of paragraphs 149 to 158 and Annex II of the report on the Ninth Session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), which concerned allegations submitted to it by teachers’ organizations;

b) authorized the Director-General to communicate the relevant parts of the annex to the Governments of Australia, Ethiopia and Japan and to the teachers’ organizations concerned and, where appropriate, to invite them to take the necessary follow-up action as recommended in the report;

c) decided to forward the report to the International Labour Conference at its 96th Session (2007) for examination in the first instance by the Committee on the Application of Standards.

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1 The report form is contained in Appendix II to document GB.298/9(Rev).
2 CEART/9/2006/10. This report may also be consulted at the following web site: http://www.ilo.org/public/english/dialogue/sector/techmeet/ceartob/ceart.pdf.
3 See also below page 12.
REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

Update on planning for the event to mark the 30th anniversary of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy

The Governing Body endorsed the draft programme for the 30th anniversary, as amended in light of the discussion in the Subcommittee on Multinational Enterprises.

Report on the modalities of a programme to give an orientation on international labour standards, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and other related matters

The Governing Body approved the development by the ILO Programme on Multinational Enterprises (EMP/MULTI) of an Office programme, in cooperation with relevant departments, on the conditions outlined by the Subcommittee on Multinational Enterprises and recorded in the report of the Subcommittee to the 297th and 298th Sessions of the ILO Governing Body, in order to provide companies with expert advice on the realization of international labour standards and the MNE Declaration and in order that the Office seek to augment this work by extra-budgetary financing.

Updates on corporate social responsibility-related activities within the ILO, including the InFocus Initiative on corporate social responsibility and the International Training Centre, and within other organizations

The Governing Body requested the Office to finalize a report on the level of involvement and participation of ILO constituents in the Global Compact local networks.

Update on strategic priorities for EMP/MULTI for 2006-07

The Governing Body endorsed the recommendation to reorient the strategic priorities in line with the priorities identified in the discussion of the Subcommittee on Multinational Enterprises.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

Wages around the world: Developments and challenges

Recognizing that wages were a major component of decent work and conscious of the knowledge gaps that existed in relation to wages and income issues, the Governing Body invited the Office to develop and implement, in consultation with constituents, a programme of work reflecting the availability of resources, the potential for mobilizing other actors and the need to build stronger partnerships with other institutions, which would initially address as a priority the following wage and income issues:

a) collection and dissemination of statistics;
b) country-level assistance, including in Decent Work Country Programmes;
c) wage-setting mechanisms and wage bargaining;
d) wages, productivity and economic performance;
e) wage differentials and disparities.
REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

Future orientation of the Sectoral Activities Programme of the ILO

The Governing Body:

a) recommended that the ILO's sectoral approach be improved in order to make its activities more meaningful to its constituents and better serve the ILO's four strategic objectives;

b) encouraged the incorporation of sectoral considerations into the general activities of the Organization and into the Decent Work Country Programme and related that work to the action programmes;

c) approved the setting of priorities through the creation of groupings of sectors and advisory bodies, taking into account available resources. Advisory bodies, composed of constituents and supported by the Office, would review the content and types of sectoral activities in order to assist the Office in its work with the Sectoral and Technical Meetings Committee and the Governing Body.

Proposals for activities in 2008-09

The Governing Body:

a) endorsed the following main activities for 2008:
   — meeting of experts to adopt a revised code of practice on safety and health in agriculture;
   — tripartite meeting on promoting social dialogue and good industrial relations from oil and gas exploration and production to oil and gas distribution;
   — meetings of experts to adopt guidelines on port State responsibilities for the inspection of labour conditions on board ships;
   — meetings of experts to adopt guidelines on flag State responsibilities under the Maritime Labour Convention, 2006;
   — a global dialogue forum on vocational education and skills development for commerce workers;

b) endorsed all the follow-up activities proposed in document GB.298/STM/1/1;

c) instructed the Office that the governments of all member States should continue to be invited to participate in sectoral meetings held in 2008-09, for which the Standing Orders for Sectoral Meetings applied.

Effect to be given to the recommendations of sectoral meetings

Tripartite Meeting on Labour and Social Issues Arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector (Geneva, 23-26 October 2006)

The Governing Body:

a) authorized the Director-General to communicate the Note on the proceedings: (i) to governments, requesting them to communicate this text to the employers’ and workers’ organizations concerned; (ii) to the international employers’ and workers’ organizations concerned; (iii) to the other international organizations concerned;

b) requested the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraph 20 of the conclusions regarding follow-up activities by the ILO.¹

¹ For the text of these conclusions see pp. 26 below.
The Governing Body requested that the Director-General:

a) transmit the report of the Ninth Session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) to the governments of member States and, through them, to the relevant employers' and workers' organizations, as well as to relevant intergovernmental and international non-governmental organizations concerned with education and teachers;

b) take into consideration, where appropriate in consultation with the Director-General of UNESCO, the Joint Committee's proposals for future action by the ILO and UNESCO, which were contained in its report, in planning and implementing future ILO activities, due account being taken of the programme and budget approved for 2008-09 and decisions regarding the future orientation of the Sectoral Activities Programme.¹


The Governing Body took note of the information provided, and approved the revised Terms of Reference for the Joint Working Group; and further approved, subject to the IMO incorporating the proposal noted in paragraph 7 of the document presented, the amendment of the revised Terms of Reference accordingly.²

Further developments in relation to the drafting of an international instrument on shipbreaking/ship recycling

The Governing Body:

a) took note of the developments;³

b) requested the Office to report to the Committee on relevant developments;

c) subject to the decision to be taken by the Marine Environment Protection Committee at its 56th Session, authorized the Office to host the Third Meeting of the Joint Working Group on Ship Scrapping, with terms of reference to be agreed.

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION

Women's entrepreneurship and the promotion of decent work: A thematic evaluation

The Governing Body called upon the Office to:

a) ensure that all technical cooperation projects on women's entrepreneurship placed their primary focus on decent and productive work, sustainability and the facilitation of systemic change, including removing the constraints for women entrepreneurs;

b) strengthen and make more explicit the linkages between women's entrepreneurship and the Decent Work Agenda, including DWCP guidance, at all stages of the project cycle;

¹ For the report of the Ninth Session of the Joint ILO/UNESCO Committee, see p. 9 above.
² See document GB.298/STM/5/2(Rev.); the revised terms of reference are contained in the appendix to the document.
³ See document GB.298/STM/7/1.
c) facilitate efforts to support, identify and share lessons learned from its technical cooperation on women's entrepreneurship in all regions;
d) involve constituents in the promotion of decent and productive employment through women's entrepreneurship development;
e) include technical cooperation projects on women's entrepreneurship that incorporated a strong HIV/AIDS-in-the-workplace dimension, and that specifically targeted young women;
f) ensure that all projects had robust indicators, which would form the basis for all project reporting.

REPORT OF THE DIRECTOR-GENERAL

International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources

The Governing Body took note of the information included in document GB.298/15/2; the Employers' and Workers' groups appointed the following individuals to participate in the meetings of the technical committee mandated to revise the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources:

- **Employers' representatives:**
  - Mr David Owen (expert);
  - Mr Mike Gaunt (substitute);

- **Workers' representatives:**
  - Mr Tasos Zodiates;
  - The substitute would be appointed at a later date.

Collaboration between the International Labour Organization and the International Organization for Standardization (ISO)

General information on the International Organization for Standardization (ISO)

Taking into account the Governing Body discussion of documents GB.298/PFA/15 and GB.298/PFA/15(Add.), the Governing Body:

a) reaffirmed the mandate of the ILO in the field of occupational safety and health and, in that context, asked ISO to refrain from developing an international standard on occupational safety and health management systems;

b) requested the Office to continue consultations with ILO constituents on possible collaboration between the ILO and ISO and to report back to the Governing Body at its November 2007 session with recommendations reflecting those consultations.

Report of the Committee set up to examine the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made under article 24 of the ILO Constitution by the College of Teachers of Chile AG

The Governing Body approved the report and, in particular, in the light of the conclusions in paragraphs 45 to 53 of the report:

a) urged the Government to continue its efforts to ensure the application of Conventions Nos. 35 and 37, specifically:
   — by taking all the necessary measures to solve the problem of the social security arrears arising from non-payment of the further training allowance;

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1 The Governing Body took note of the information submitted to it concerning the new Member of the International Labour Organization (see page 1), progress in international labour legislation, internal administration, publications and documents, promotion of the Maritime Labour Convention, 2006, and incomplete delegations at tripartite meetings.
— by continuing and strengthening the supervision of the effective payment of the further training allowance by the employers in arrears;
— where necessary, by ensuring the effective application of deterrent sanctions in the event of non-payment of the further training allowance and, in that case, the adoption of measures to compensate the damages;

b) invited the Government to present a report under article 22 of the ILO Constitution on the application of Conventions Nos. 35 and 37, containing detailed information on all the measures taken or envisaged to secure effective payment of subsidies, including the further training allowance, to all the municipalities and on the manner in which the situation has evolved as a result of these measures, indicating in particular:
— the number of inspections carried out, in particular by the Ministry of Education, to verify payment of the further training allowance by the municipalities, the number and nature of violations registered and the number and nature of penalties imposed;
— the number of municipalities remaining in arrears with regard to the payment of the further training allowance, the amount of such arrears, the number of workers affected and the amount of arrears settled;
— the outcome of the legislative procedure concerning the bill submitted in 2005 and aimed at solving the problem of social security arrears and, once the bill had been adopted, information on its implementation, including the number of municipalities requesting advances to enable them to pay the further training allowance;
— the follow-up to the Protocol of Agreement adopted by the complainant organization and the Government in December 2003 to evaluate the further training allowance;
— any agreement concluded with the aim of solving the problem of arrears;

c) declared closed the procedure initiated before the Governing Body as a result of the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made under article 24 of the ILO Constitution by the College of Teachers of Chile AG.

Report of the Committee set up to examine the representation made by the Confederation of Turkish Trade Unions (TÜRK-IS) under article 24 of the Constitution of the ILO, alleging non-observance by the Netherlands of the Equality of Treatment (Social Security) Convention, 1962 (No. 118)

The Governing Body approved the report and declared the procedure initiated as a result of the representation closed.

Chief Internal Auditor position — Recommendation

The Governing Body supported the proposal of the Director-General concerning the appointment of Ms Keiko Kamioka to the position of Chief Internal Auditor of the ILO.
REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Representation alleging non-observance by Mexico of the
Labour Inspection Convention, 1947 (No. 81),
the Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947 (No. 85),
the Labour Administration Convention, 1978 (No. 150),
the Occupational Safety and Health Convention, 1981 (No. 155),
the Chemicals Convention, 1990 (No. 170),
the Prevention of Major Industrial Accidents Convention, 1993 (No. 174),
and the Safety and Health in Mines Convention, 1995 (No. 176),
by the Sindicato Nacional de Trabajadores de Caminos
y Puentes Federales de Ingresos y Servicios Conexos

The Governing Body decided that the representation was receivable only in so far as
the alleged non-observance by Mexico of the Labour Administration Convention, 1978
(No. 150), the Occupational Safety and Health Convention, 1981 (No. 155), and the
Chemicals Convention, 1990 (No. 170) was concerned, and set up a committee for its
examination.

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

International Symposium on the Role of Trade Unions in Workers' Education:
The Key to Trade Union Capacity Building
(Geneva, 8-12 October 2007)

The Governing Body:

a) approved the proposal that, as foreseen in the Programme and Budget, the Symposium
should be attended by 45 trade union representatives, nominated after consultation with
the Workers' group of the Governing Body and coming from both industrialized and
developing countries in Africa, the Americas, Asia and the Pacific, Europe and the Arab
region. Efforts would be made to ensure that at least 30 per cent of the participants
selected were women, in compliance with the Workers' group's policy on gender equality;

b) approved the following agenda:
   — to evaluate workers' education activities and identify workers' education needs at
     national, regional, and international levels: experiences, lessons learned, and the
     way forward; to examine the role of labour education in implementing the Decent
     Work Agenda, and develop strategies to build and strengthen trade union capacity;
     to review the roles of workers' education centres and examine new methods and
     techniques in delivering labour education.

The Symposium would also provide an opportunity for labour educators and trade
union leaders to develop strategies to strengthen the capacity of trade unions to influence
socioeconomic policies and development strategies at national, regional and international
levels.

Symposium on the Labour and Social Aspects of Global Production Systems:
Issues for Business (Geneva, 17-19 October 2007)

The Governing Body approved the proposal that the Meeting be attended by represen-
tatives of 30 employers' organizations from both industrialized and developing countries in
Africa, the Americas, Asia and the Pacific, Europe and the Arab region, nominated after
consultation with the Employers' group of the Governing Body. Enterprises which were
interested in following the meeting would be invited to participate as observers, at their
own cost.
The Governing Body:

a) approved the proposal that the Meeting be attended by 16 experts nominated after consultations with governments, eight after consultations with the Employers' group, and eight after consultations with the Workers' group of the Governing Body. The experts nominated should be well acquainted with the items on the agenda. In order to obtain the government nominations, the Director-General would approach the governments of 16 countries, the list of which would be communicated at a later stage;

b) approved the following agenda for the Meeting as proposed by the Director-General:

   — Updating of the International Standard Classification of Occupations.¹

   Appointment of an ILO delegation to the 50th Session of the IMO Subcommittee on Stability and Load Lines and on Fishing Vessels' Safety
   (London, 30 April-4 May 2007)

   The Governing Body appointed the ILO tripartite delegation which would participate in the work of the correspondence group and the above session of the IMO Subcommittee on Stability and Load Lines and on Fishing Vessels' Safety.

   — Government representative: To be decided²
   — Employers' representative: Mr J. Hudson (United Kingdom)
   — Workers' representative: Mr O. S. Mortensen (Denmark)

   Appointment of Governing Body representatives on various bodies

Tripartite Meeting to Examine the Impact of Global Food Chains on Employment
   (Geneva, 24-27 September 2007)

   The name of the Government representative responsible for representing the Governing Body and for chairing the Meeting would be communicated at a later stage.

¹ For the financing of this Meeting, see p. 6 above.
² As the Governing Body was informed, the Government group did not appoint a representative.
# INFORMATION NOTES

## Programme of Meetings for 2007 and advance information for 2008

The Governing Body took note of the following programme of meetings, which had been approved by its Officers.

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-18 April</td>
<td>Tripartite Meeting on the Production of Electronic Components for the IT Industries: Changing</td>
<td>Geneva</td>
</tr>
<tr>
<td></td>
<td>Labour Force Requirements in a Global Economy</td>
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<tr>
<td>24-27 April</td>
<td>11th African Regional Meeting</td>
<td>Addis Ababa, Ethiopia</td>
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<tr>
<td>24-25 May</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>Geneva</td>
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<tr>
<td>30 May-15 June</td>
<td>96th Session of the International Labour Conference</td>
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<tr>
<td>15 June¹</td>
<td>299th Session of the Governing Body</td>
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<tr>
<td>24-27 September</td>
<td>Tripartite Meeting to Examine the Impact of Global Food Chains on Employment</td>
<td></td>
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<tr>
<td>8-12 October</td>
<td>International Symposium on the Role of Trade Unions in Workers' Education: The Key to Trade Union</td>
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<tr>
<td></td>
<td>Capacity Building</td>
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<tr>
<td>17-19 October</td>
<td>Symposium on the Labour and Social Aspects of Global Production Systems: Issues for Business²</td>
<td></td>
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<tr>
<td>1-2 November</td>
<td>ILO Forum on Decent Work for a Fair Globalization</td>
<td>Lisbon, Portugal</td>
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<tr>
<td>1-15 November</td>
<td>300th Session of the Governing Body and its committees</td>
<td>Geneva</td>
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<tr>
<td>15-16 November³</td>
<td>International Forum on the Occasion of the 30th Anniversary of the Tripartite Declaration of</td>
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<tr>
<td></td>
<td>Principles concerning Multinational Enterprises and Social Policy</td>
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<tr>
<td>22 November-7</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>December</td>
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<tr>
<td>3-6 December</td>
<td>Tripartite Meeting of Experts on Labour Statistics</td>
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<tr>
<td>10-13 December</td>
<td>Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical Cooperation and International Collaboration as Tools with a view to Developing a Policy Framework for Hazardous Substances</td>
<td></td>
</tr>
<tr>
<td>To be determined</td>
<td>Joint ILO-IMO-Basel Convention Working Group on Ship Scrapping (third meeting)⁴</td>
<td></td>
</tr>
<tr>
<td>To be determined³</td>
<td>Tripartite Meeting of Experts on Working Time</td>
<td></td>
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<tr>
<td>2008⁶</td>
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<tr>
<td>First half of January</td>
<td>Meeting of the ILO Declaration Expert-Advisers</td>
<td></td>
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<tr>
<td>6-20 March⁷</td>
<td>301st Session of the Governing Body and its committees</td>
<td></td>
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<tr>
<td>22-23 May</td>
<td>Governing Body Committee on Freedom of Association</td>
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<tr>
<td>28 May-13 June</td>
<td>97th Session of the International Labour Conference</td>
<td></td>
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<tr>
<td>7 and 13 June</td>
<td>302nd Session of the Governing Body</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
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<tr>
<td>September</td>
<td>Meeting of Experts to Adopt Guidelines on Port State Responsibilities for the Inspection of Labour Conditions on Board Ships*</td>
<td>Geneva</td>
</tr>
<tr>
<td>September</td>
<td>Meeting of Experts to Adopt Guidelines on Flag State Responsibilities under the Maritime Labour Convention, 2006*</td>
<td>&quot;</td>
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<tr>
<td>6-21 November</td>
<td>303rd Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>24-27 November</td>
<td>Sectoral meeting*</td>
<td>&quot;</td>
</tr>
<tr>
<td>27 November-12 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>December</td>
<td>18th International Conference of Labour Statisticians</td>
<td>&quot;</td>
</tr>
<tr>
<td>To be determined</td>
<td>Eighth European Regional Meeting</td>
<td>&quot;</td>
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</tbody>
</table>


* At its 294th Session (November 2005) the Governing Body approved the holding of an employers' meeting entitled "Symposium on Managing Labour and Social Issues in Supply Chains: Challenges for Business". The new title proposed is meant to broaden the scope of the meeting in order to address all aspects of global production systems.

* Further to the decision adopted by the Governing Body as regards this meeting (GB.298/12).

* Subject to the decision to be taken by the Governing Body as regards the financing of the Meeting.

* Subject to the approval of the corresponding resources listed in the draft Programme and Budget for 2008-09, which will be submitted to the International Labour Conference in June 2007.

* Due to the long Easter weekend (21-24 March), the Governing Body will have to complete its work by Thursday, 20 March.

* Further to the decision adopted by the Governing Body as regards these activities (GB.298/12).

* The sector, topic and type of meeting will be decided by the Governing Body on the basis of recommendations made by its Committee on Sectoral and Technical Meetings and Related Issues (STM).
Requests from international non-governmental organizations wishing to be represented at the 96th Session (2007) of the International Labour Conference

The Governing Body noted that its Officers had authorized the Director-General:

a) to invite two employers' organizations, twenty workers' organizations and thirty-two other organizations¹ to be represented at the 96th Session (2007) of the International Labour Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the committees dealing with the agenda items in which they had stated a special interest;

b) to inform the organizations concerned that they might nominate one person only for each of the agenda items in respect of which their interest was recognized.

¹ The list of organizations is contained in document GB.298/Inf.3.
Official measures taken regarding decisions of the International Labour Conference¹

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1997²

Ratifications/Acceptance

In accordance with article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1997, the following ratifications and acceptance have been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Ratification</td>
<td>4 April 2007</td>
</tr>
<tr>
<td>Belgium</td>
<td>Ratification</td>
<td>13 March 2007</td>
</tr>
<tr>
<td>Cambodia</td>
<td>Ratification</td>
<td>27 March 2007</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Acceptance</td>
<td>29 March 2007</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is thus 94, including six by States of chief industrial importance.

¹ Period covered: 1 January to 30 April 2007.
International Labour Conventions: Ratifications and notification

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications and a notification concerning the international labour Conventions mentioned below. In pursuance of Article 20 of the Constitution of the International Labour Organization, particulars of these ratifications and this notification have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Czech Republic</td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>26 April 2007</td>
<td>26 April 2008</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2, paragraph 1, of the Convention, the minimum age of 15 years has been specified.</td>
<td></td>
<td></td>
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<tr>
<td>Islamic Republic of Iran</td>
<td>Human Resources Development Convention, 1975 (No. 142)</td>
<td>19 March 2007</td>
<td>19 March 2008</td>
</tr>
<tr>
<td>Korea, Republic of</td>
<td>Asbestos Convention, 1986 (No. 162)</td>
<td>4 April 2007</td>
<td>4 April 2008</td>
</tr>
<tr>
<td></td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>4 April 2007</td>
<td>4 October 2007</td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I. Ratifications
<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tajikistan</td>
<td>Migration for Employment Convention (Revised), 1949 (No. 97)</td>
<td>10 April 2007</td>
<td>10 April 2008</td>
</tr>
<tr>
<td></td>
<td>Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>Forced Labour Convention, 1930 (No. 29)</td>
<td>5 March 2007</td>
<td>5 March 2008</td>
</tr>
</tbody>
</table>

II. Notification

<table>
<thead>
<tr>
<th>State, Hong Kong Special Administrative Region</th>
<th>Occupational Safety and Health Convention, 1981 (No. 155)</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>China, Hong Kong Special Administrative Region</td>
<td><em>Not applicable</em></td>
<td>25 January 2007</td>
<td>25 January 2007</td>
</tr>
</tbody>
</table>
Memorandum of Understanding between the Southern African Development Community and the International Labour Organization

The International Labour Organization (ILO), represented by the International Labour Office, and the Southern African Development Community (SADC), represented by the Executive Secretary;

Desirous to develop and strengthen their cooperation with respect to matters of common interest;

Convinced that the development and strengthening of such cooperation would be of mutual benefit to both Organizations and would enhance cooperation among their Member States;

Have agreed as follows:

Article I

Consultation

The ILO and SADC, in order to facilitate attaining the objectives of the two Organizations, shall consult each other in respect of planning and execution of programmes for promoting decent work (rights at work, employment, training and income generation, social protection and social dialogue as a tool for socio-economic development) in relation with, but not limited to, the following matters:

(a) the role of employers' and workers' organizations;
(b) tripartite consultation at regional and national levels;
(c) employment, with an emphasis on youth and women;
(d) eradication of child labour, with particular emphasis on the worst forms of child labour;
(e) occupational safety and health;
(f) conditions of work and employment;
(g) social protection, including extension of social security;
(h) HIV/AIDS in the workplace;
(i) harmonization of labour and social security legislation;
(j) gender policy mainstreaming;
(k) labour migration;
(l) measures to combat forced labour and trafficking in persons;
(m) sectoral approaches to social and labour issues;
(n) labour market information systems, including statistical capacity building;
(o) entrepreneurship and corporate social responsibility; and
(p) productivity programmes.

Article II

Exchange of information

ILO and SADC shall exchange non-confidential information and documentation on matters of common interest, and shall keep each other informed of current and planned activities of mutual interest for the purpose of identifying areas in which cooperation between them may prove desirable.
Article III
Joint activities

ILO and SADC may, on conditions to be mutually agreed in each case, carry out joint studies or cooperate in the implementation of specific programmes or projects relating to matters of common interest within their respective mandates.

Article IV
Attendance at meetings

Each Organization may, in accordance with its own constitutional provisions, invite the other to meetings it has convened, when matters of interest to the other are to be discussed.

Article V
Provision of expertise

Each Organization may, on conditions to be mutually agreed in each case and within the limits of available resources, provide the services of its staff or consultants as the case may be.

Article VI
Implementation

The Director-General of the ILO and the Executive Secretary of SADC will make appropriate arrangements to ensure closer collaboration and liaison between the two Organizations in matters of common interest.

Article VII
Monitoring and evaluation

The implementation of this Memorandum of Understanding will be reviewed at an appropriate level every five years. Operational interaction will be monitored and evaluated regularly and an annual report will be prepared by both parties for presentation at meetings of the SADC Labour Ministers and at relevant ILO meetings, or at other mutually agreed fora.

Article VIII
Duration and termination

This Memorandum of Understanding shall remain in force indefinitely and may be terminated by mutual consent, or by one party giving the other party six (6) months written notice of the intention to terminate.

Article IX
Amendments

(a) The Parties hereto may enter into such supplementary arrangements or agreements within the scope of this Memorandum of Understanding as may be appropriate.

(b) This Memorandum of Understanding may be amended by mutual consent. Each Organization shall give sympathetic consideration to any amendment proposed by the other party.
Article X

This Memorandum of Understanding replaces the Memorandum of Understanding signed on 21 July 1998 between the ILO and the SADC.

Article XI

Nothing in this Memorandum of Understanding or relating thereto shall be construed as constituting a waiver of the privileges and immunities enjoyed by the ILO and the SADC.

Article XII

Entry into force

This Memorandum of Understanding, done in two originals in the English language, shall enter into force on the date of its signature by both parties.

(Signed) (Signed)
Mr Tayo Fashoyin Dr Tomaz Augusto Salamao
Director Executive Secretary
ILO Sub-Regional Office Southern African Development
for Southern Africa Community
Harare Gabarone
Date: 19 April 2007 Date: 19 April 2007
Tripartite Meeting on Labour and Social Issues arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector

(Geneva, 23-26 October 2006)

CONCLUSIONS ADOPTED

Conclusions on Labour and Social Issues arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector

The Tripartite Meeting on Labour and Social Issues arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector,

Having met in Geneva from 23 to 26 October 2006,

Adopts this twenty-sixth day of October 2006 the following conclusions:

Introduction

1. In an increasingly globalized economy, international road transport plays an important role and makes a significant contribution to economic development efforts. In this regard, the rights, welfare and dignity of international drivers should be promoted through their organization and the practice of social dialogue.

Theme 1 — The impact of deficiencies in infrastructure, facilities and procedures at border crossings on road transport operations and the working and living conditions of international drivers

2. Delays due to deficiencies in infrastructure, facilities and control procedures at problematic border crossings can have a negative impact on the living and working conditions of drivers as well as on socio-economic progress, international trade, tourism and transport. They can turn waiting areas into a magnet for crime and the sex trade, create security risks for drivers and, consequently, their families, vehicles and cargo, and disrupt communities in the surrounding areas. This affects the issue of health protection of drivers and general road safety. A means to improve the living and working conditions of international drivers at problematic border crossings is through social dialogue and transport facilitation across international borders.

3. Governments along with employers and workers and their representatives in the road transport sector have a mutual interest to work together to reduce the negative impact of any such deficiencies.

4. Measures that could be implemented in this respect include:
   — providing adequate border crossing infrastructure and facilities, both in quantitative and qualitative terms;
   — relocating border crossings that are situated in inappropriate locations (e.g. centre of towns);
   — improving the quality and increasing the capacity of access roads to border crossing;
   — establishing/constructing appropriate facilities for sanitation, food and beverage, supplies, rest, communication, lodging and legal entertainment, vehicle repair and other emergency services as well as parking facilities, and establishing harmonized minimum standards for such facilities;
   — establishing policies for affordable pricing for the use of facilities or purchase of goods and services at border crossings;
— achieving better cooperation between frontier authorities and all relevant parties using
the borders, and the application of new technologies and innovative management sys-
tems;
— achieving simplification of procedures, timely communication of any change of proced-
ure requirements, progressive minimization of documentary requirements and ration-
alization of controls, for instance through the use of risk management processes and
ICT; and
— where appropriate, adopting and implementing relevant international and United
Nations conventions relating to border crossing formalities.

5. The responsibility for the improvement or relocation of infrastructure, and for the
implementation of appropriate management systems and procedures at border crossings,
primarily lies on governments.

Theme 2 — The impact of deficiencies in border staffing standards
and border officials' conduct on road transport operations and the working
and living conditions of international drivers

6. Deficiencies in border staffing standards and in the conduct of border officials exist
in numerous countries; however, differences in the nature and degree of such deficiencies
should be taken into account when addressing this issue, avoiding a one-size-fits-all
approach.

7. Joint efforts by governments, employers and workers and their representatives at
national or border crossing level involving neighbouring countries could address pertinent
areas of concern that include:
— promotion of appropriate processes for the selection and recruitment of border officials;
— the provision of up to date information to education and training of officials on both
sides of a border crossing to help them to develop appropriate cognitive, language, atti-
tude and ICT skills;
— provision of sufficient and qualified staff;
— the motivation of border officials through appropriate pay and working conditions, and
the provision of technological or other means to enable them to perform their duties in
the best possible manner;
— improved harmonization and coordination of procedures and practices on both sides of
border crossings through bilateral, multilateral or regional agreements or by following
the same international standards or joining the same international Conventions;
— provision of timely border crossing information by governments to international driv-
erers and their employers and suitable training of international drivers by their employ-
ers on border crossing procedures;
— the elimination of situations, such as long delays, that could foster corrupt practices;
— campaigns against corruption targeting all parties that could be involved in a corrupt
activity;
— exchange of information on good practice, including codes of conduct for border offi-
cials, international drivers and other parties involved in border crossing procedures and
on various relevant agreements regarding border crossings.

8. The creation or strengthening, at various levels, of tripartite border-crossing moni-
toring and facilitation bodies, with representatives from all parties involved from both sides
of problematic international borders, could help member States to understand and address
current or persisting problems.
9. In the absence of special arrangements for the purpose, the process for the application for the issuance of visas for international drivers in the road transport sector can involve long periods of idle time as well as onerous and numerous documentary and other requirements that result in considerable financial and time losses to both the drivers and their employers. This can also restrict the ability of international drivers to enjoy regular or continuous employment. Under certain circumstances, particular visa conditions may, in addition, limit drivers' ability to complete assignments abroad or find themselves in breach of their visa conditions. Among other negative effects of this problem is the stress and frustration that drivers experience during the process. All these evidently have a negative impact on road transport operations and the working and living conditions of international drivers.

10. While acknowledging the right of governments to take all appropriate measures regarding the issuance of visas to safeguard national security or to protect against other risks, governments, employers and workers and their representatives recognize the need to facilitate the process in a way that would be compatible with the special status of international drivers, as is the case in certain other transport modes.

11. Options that might be considered for streamlining the provision of visas for international drivers include:
— measures to optimize existing visa-issuing arrangements;
— consideration of other means by which visa arrangements might be improved (for instance via the provision of information to consulates by employers and/or their associations);
— the issuance of multiple-entry and/or longer term visas to international drivers at reasonable cost;
— the promotion of regional and subregional solutions to reflect local circumstances; and
— consideration, where appropriate, of whether or not some form of drivers' identity card might be a cost-effective means of facilitating access to visas for international drivers. By way of an example, the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) might provide useful lessons.

Theme 4 — HIV/AIDS: A workplace issue for international drivers at border crossings

12. International drivers are among the most vulnerable categories of workers to HIV/AIDS due to the particular conditions of their work. Their vulnerability to sexually transmitted infections (STIs), including HIV, substantially increases at border crossings where unduly long delays are experienced. Combined with any serious deficiencies in infrastructure and facilities and stress, the risks to HIV/AIDS become even greater as these factors create a situation where drivers may be exposed to risky behaviour.

13. Transport enterprises are also at risk because of the negative impact on their workforce. Inevitably, this situation has a negative impact on national economies and consequently on the whole world. Hence, in parallel but also in combination with other ongoing and planned programmes to combat HIV/AIDS at broader levels, there is a need to address this particular case at cross borders as a workplace issue at sectoral level so that the specificities of the international road transport sector and those pertinent to border crossing would be best addressed. However, the interrelation between the origin and destination of the road transport journey, the communities along that route and around the border crossings, as well as the family and social circle of international drivers and the location of the border crossing, should not be overlooked. For these reasons, the issue of HIV/AIDS at border crossings should not be treated as a localized problem and in isolation to the broader HIV/AIDS issue but as a complementary activity that focuses to a particular sector and
Thus, the collaboration and coordination between a large number of organizations, agencies and programmes is essential.

14. Against this background, governments, employers and workers and their representatives have stressed their renewed commitment to jointly address this issue and agreed to promote the tripartite sectoral approach when addressing the issue of risks of international drivers to HIV/AIDS at border crossings. Pertinent measures could include:

- promotion of the sectoral approach to HIV/AIDS;
- promotion of the thesis that HIV/AIDS is a workplace issue;
- promotion of the tripartite approach in addressing the issue in which, in addition to governments, employers and workers, other stakeholders would be included (communities, NGOs, etc.);
- promotion of the relevant ILO standards, particularly the ILO code of practice on HIV/AIDS and the use of the ILO guidelines on HIV/AIDS for the transport sector, \(^1\) special attention being made to the principles outlined, including those that refer to stigmatization, non-discrimination, gender equality, social dialogue, confidentiality, no screening for employment, continuous employment and prevention;
- development and distribution of appropriate sector specific training materials targeting the drivers as well as transport companies and their managers and delivery of appropriate training workshops;
- encouraging the employers to provide HIV/AIDS awareness and prevention education and training of international drivers. Encouraging the introduction of HIV/AIDS training module into the general professional driver training curricula. International drivers should also make themselves available for such training;
- removal of cross-border related factors that may influence the behaviour of drivers, such as excessive delays (and therefore the reasons for such delays) and the lack of appropriate infrastructure and facilities;
- establishment of centres for voluntary counselling and testing and other services pertinent to HIV/AIDS at border crossings;
- appropriate awareness raising campaigns, including campaigns for establishing the appropriate status of international drivers vis-à-vis HIV/AIDS;
- establishment of appropriate partnerships and synergies with other programmes;
- fund-raising to support pertinent activities;
- constantly consulting evaluations of hazards pertinent to the issue and taking actions accordingly; and
- establishing, updating and communicating information on relevant programmes and experiences.

**Theme 5 — Improvement of cross-border traffic and its socio-economic consequences; general discussion of other issues not covered under other themes**

15. Cross-border road transport is essential for the development of trade, regional economic integration, tourism, social development, wealth creation and distribution. It also impacts on the welfare of international drivers. Governments, employers and workers and their representatives have a mutual interest in mitigating any possible undesired direct or indirect effects of cross-border traffic.

16. Although situations arising from any future increase of traffic cannot be fully predicted, based on past experience, it can be assumed that these might lead to:

— negative environmental impacts on neighbouring communities and the environment at large as a result of additional pollution;
— deteriorating road safety and health conditions of areas neighbouring to border crossings;
— an increase in sexually transmitted infections (STIs);
— development of negative attitude of public towards the road transport sector and international drivers; and
— an increase in demand for well-trained drivers, resulting in an insufficient supply of such drivers.

17. Measures to eliminate or mitigate the negative effects could include:
— improvement of road infrastructure, including provision of access and approach roads to border crossings that bypass residential areas of communities;
— provision of high-quality road transport services, complemented by campaigns and other public relations activities to gain public’s acceptance of the road transport sector and to develop a positive attitude towards international drivers;
— improvement of drivers’ conditions of work and training with a view to attracting new entrants to the profession;
— development of a common definition of the professional international driver;
— development and implementation of regional and/or international agreements for border crossing infrastructure, facilities and procedures;
— facilitating access to multiple-entry visas with longer periods of validity;
— elimination of illegal employment practices and illegal transportation; and
— establishment of procedures that would safeguard the human and labour rights of international drivers in the road transport sector, including freedom of association and the right to bargain collectively.

Theme 6 — Follow-up activities

18. The Meeting is part of the ILO’s Sectoral Activities Programme, one of the purposes of which is to develop an international tripartite consensus on sectoral concerns and provide guidance for national and international policies and measures to deal with related issues. In this respect, the Governing Body decided that among other, the Meeting would adopt conclusions that include proposals for action by governments, employers’ and workers’ organizations and the ILO and to make proposals for follow-up activities by the ILO.

19. On the basis of the discussions held during the Meeting on themes 1 to 5, and with due consideration being given to human aspects and differences that might exist between different countries or regions, the proposals for action by governments, in close liaison with employers and workers and their representatives are to adopt:
— appropriate dialogue frameworks on border-crossing issues as described in paragraph 8 above;
— adopting and promoting appropriate border crossing facilities as described in paragraph 4 above;
— considering establishing a common definition of international drivers;
— implementing effective ways for combating HIV/AIDS and STIs at border crossings (refer to conclusions of theme 4);
— promote best border-crossing practices for customs and documentary controls, as
described in paragraphs 4, 5 and above;
— devise and implement a mechanism that would effectively attend to emergency situa-
tions that may arise from problems encountered by drivers at border crossings;
— encourage south to south as well as north to south cooperation for addressing cross-
border related issues; and
— encourage new and strengthen existing subregional initiatives pertinent to border-cross-
ing issues.

20. The proposals for action and/or for follow-up activities by the ILO are:
— promote through tripartite pilot projects best practices at selected problematic border
crossings, and promote a framework of guidance in liaison with social partners;
— to assist ILO member States to give effect to the ILO Declaration on Fundamental Prin-
ciples and Rights at Work and its Follow-up with a view to improve social and labour
conditions in the road transport sector;
— to seek recognition for the status of a special category of workers of professional inter-
national drivers, who should not face any unreasonable impediments to their ability to
cross international borders;
— to welcome visa-free regimes, where they exist, and promote the options for stream-
lining the provision of visas to international drivers, as envisaged through the measures
proposed in paragraph 1 above;
— to consider to make appropriate ILO budget allocations, as well as to act as a facilita-
tor together with the social partners for securing funds from donors and partnerships
for the implementation of projects pertinent to border-crossing issues, including
HIV/AIDS; and
— to assist governments, employers and workers and their representatives to design and
implement joint/tripartite sector-specific programmes and to develop sector-specific
training and other materials pertinent to risks of international drivers of HIV/AIDS and
STIs at border crossings.
If this address is wrong, please return this sheet to the sender or, at least, the part bearing the address.

Pour tout changement d'adresse, prière de renvoyer à l'expéditeur cette feuille ou, du moins, la partie comportant l'adresse.

Sirvase indicar el cambio de dirección del destinatario y enviar esta hoja al remitente, o al menos la parte en que está escrita la dirección.
CONTENTS

Information

96th Session of the International Labour Conference
(Geneva, 30 May-15 June 2007) ....................................................... 33
Composition of the International Labour Organization .......................... 34
Marshall Islands ............................................................................. 34
299th Session of the Governing Body of the International Labour Office
(Geneva, 15 June 2007) .................................................................. 34
Official measures taken regarding the decisions of the International Labour Conference:
  Instrument for the Amendment of the Constitution of the International Labour Organisation,
  1997 — Acceptances .................................................................. 41
  International labour Conventions — Ratifications ............................ 42

Documents

CONVENTION, RECOMMENDATION AND RESOLUTIONS ADOPTED
BY THE INTERNATIONAL LABOUR CONFERENCE
AT ITS 96TH SESSION
(Geneva, May-June 2007)

No.

188. Convention concerning work in the fishing sector, 2007 .................. 46

No.

199. Recommendation concerning work in the fishing sector, 2007 ............. 71

Nos.

  1. Resolution concerning the promotion of sustainable enterprises .......... 79
  11. Resolution concerning strengthening the ILO's capacity .................. 90
  111. Resolution concerning promotion of the ratification of the Work in Fishing Convention, 2007 93
  1V. Resolution concerning port State control ..................................... 94
  V. Resolution concerning tonnage measurement and accommodation ...... 94
  VI. Resolution concerning the promotion of welfare for fishers ............. 95
  VII. Resolution concerning the assessment of contributions of new member States 96
Office publications and documents

To ensure that all regular readers of the *Official Bulletin* receive full and up to date information on Office publications and documents, the ILO publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.
The 96th Session of the International Labour Conference was held from Wednesday, 30 May to Friday, 15 June, under the presidency of Mr Kastriot Sulka, Deputy Minister of Labour, Social Affairs and Equal Opportunities of the Republic of Albania.

The agenda was as follows:

**Standing items**

I. (a) Reports of the Chairperson of the Governing Body and of the Director-General

(b) Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work

II. Programme and budget and other questions

III. Information and reports on the application of Conventions and Recommendations
Items placed on the agenda by the Governing Body

IV. Work in the fishing sector – Standard setting, with a view to the adoption of a Convention and a Recommendation\(^1\).

V. Strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization (general discussion)\(^2\)

VI. The promotion of sustainable enterprises (general discussion)\(^3\)

Composition of the International Labour Organization

Under paragraph 3, article 1, of the Constitution of the International Labour Organization and article 27 of the Standing Orders of the International Labour Conference, a Member of the United Nations Organization may become a Member of the International Labour Organization by communicating to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the ILO.

MARSHALL ISLANDS


299th Session of the Governing Body of the International Labour Office

(Geneva, 15 June 2007)

The 299th Session of the Governing Body of the International Labour Office was held on 15 June 2007 with Mr. Membathisi M.S. Mdladlana, Minister of Labour of the Republic of South Africa, Mr. Dayan Jayatilleka, Ambassador, Permanent Representative of Sri Lanka to the United Nations Office in Geneva, and Sir Leroy Trotman, Worker Vice-Chairperson of the Governing Body, in the Chair.

The agenda was as follows:

1. Election of the Officers of the Governing Body for 2007-08
2. Approval of the minutes of the 298th Session of the Governing Body\(^4\)
3. Questions arising out of the 96th Session of the International Labour Conference\(^5\)
4. Reports of the Committee on Freedom of Association
5. Resolution concerning Africa’s representation on the Governing Body of the International Labour Office, adopted by the 11th African Regional Meeting


\(^2\) The text of the resolution concerning strengthening the ILO's capacity is reproduced on pages 90-91.

\(^3\) The text of the resolution concerning the promotion of sustainable enterprises is reproduced on page 79.

\(^4\) The Governing Body approved the minutes of its 298th Session (March 2007) as amended.

\(^5\) The Governing Body took note of the statements made in respect of this item.
6. Report of the Director-General
   — Report of the Committee set up to examine the representation alleging non-observance by Guatemala of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the Federation of Country and City Workers (FTCC)

   — Representation alleging non-observance by Chile of the Forced Labour Convention, 1930 (No. 29), submitted under article 24 of the ILO Constitution, by the Colegio de Abogados de Chile AG

8. Composition and agenda of standing bodies and meetings
   — ILO Forum on Decent Work for a Fair Globalization (Lisbon, 31 October-2 November 2007)

Information documents:
   — Programme of meetings for the remainder of 2007 and for 2008
   — Approved symposia, seminars, workshops and similar meetings.  

The following is an account of the action taken by the Governing Body on the above agenda.  

---

1 The composition of this Tripartite Meeting of Experts is the following, as indicated in *Official Bulletin*, Vol. XC, 2007, Series A, No. 1, page 16: "The Governing Body [at its 298th Session (March 2007)] approved the proposal that the Meeting be attended by 16 experts nominated after consultations with Governments, eight after consultations with the Employers’ group, and eight after consultations with the Workers’ group of the Governing Body. The experts nominated should be well acquainted with the items on the agenda. In order to obtain the government nominations, the Director-General would approach the governments of 16 countries, the list of which will be communicated at a later stage." At its 299th Session (June 2007), the Governing Body noted that the Director-General intended to contact the Governments of the following countries: Austria, Barbados, Botswana, Canada, China, Colombia, Republic of Korea, United States, France, Ghana, Jordan, United Kingdom, Russian Federation, Sweden, Tunisia and Uruguay.

2 The Governing Body had before it document GB.299/Inf.2, which contained proposals approved by its Officers on the holding of various symposia, seminars, workshops and other approved similar meetings.

3 For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings.
ELECTION OF THE OFFICERS OF THE GOVERNING BODY FOR 2007-08

Election of the Chairperson


Election of the Vice-Chairpersons

The Governing Body re-elected Mr Funes de Rioja as Employer Vice-Chairperson and Sir Leroy Trotman as Worker Vice-Chairperson of the Governing Body for 2007-08.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

346th and 347th Reports

The Governing Body examined and adopted the 346th and 347th Reports of its Committee on Freedom of Association.¹

RESOLUTION ON AFRICA’S REPRESENTATION ON THE GOVERNING BODY OF THE INTERNATIONAL LABOUR OFFICE, ADOPTED BY THE 11TH AFRICAN REGIONAL MEETING (ADDIS ABABA, 24-27 APRIL 2007)

The Governing Body requested the Director-General to prepare a comprehensive document for information on the matter of criteria for geographical and country representation within the Governing Body for submission to its 300th Session (November 2007).

REPORT OF THE DIRECTOR-GENERAL

Report of the Committee set up to examine the representation alleging non-observance by Guatemala of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the Federation of Country and City Workers (FTCC).

The Governing Body approved the report and, in the light of the Committee’s conclusions, contained in paragraphs 39-59 of the report:

(a) requested the Government to give full effect to Article 15 of Convention No. 169 and to engage in prior consultation in cases of exploration or exploitation and of natural resources, which may prejudice indigenous and tribal communities, and to ensure the participation of the peoples concerned in the various stages of the process, as well as in environmental impact studies and environmental management plans;

(b) requested the Government to endeavour to resolve any consequences of the granting of the exploration licence including by assessing, in consultation with the communities concerned, whether and to what degree their interests have been prejudiced, and where such prejudice was found, to ensure that fair compensation was provided, in accordance with Article 15, paragraph 2, of the Convention; and it hoped that, in seeking solutions

¹ For the text of these reports, see Official Bulletin, Vol. XC, 2007, Series B, No. 2.
to the problems affecting communities which occupy or otherwise use lands for which the licence covered by the representation has been granted, the Government should go through representative institutions or organizations so as to be able to establish and maintain a constructive dialogue under the terms of Article 6 so that the parties concerned could seek solutions to the situation faced by these communities, taking into account for this purpose paragraph 53 of the report of the tripartite committee;

(c) urged the Government to initiate a process of consultation before granting any exploration and exploitation licences covering the lands referred to in the representation and to maintain consultation and participation procedures with all the communities concerned which occupy or otherwise use these lands, whether or not they hold title of ownership, taking into account for this purpose paragraph 53 of the report of the tripartite committee;

(d) requested the Government, in consultation with indigenous peoples, to take the necessary measures to guarantee the rights of ownership and possession of indigenous peoples over the lands referred to in Article 14 of the Convention;

(e) requested the Government, in consultation with indigenous peoples, to adopt transitional measures to protect these rights while the process of the regularization of title to lands was being completed;

(f) invited the Government to develop coordinated and systematic action, within the meaning of Articles 2 and 33, with the participation of indigenous peoples, when applying the provisions of the Convention;

(g) invited the Government to make progress in the formulation and adoption of the Indigenous Peoples Consultation Bill and the appropriate regulation of consultations to be undertaken in the case of exploration or exploitation of natural resources (minerals, forests, water, etc.), in accordance with Article 15 of the Convention; this would foster the development of appropriate mechanisms for consultation and participation, thereby attenuating disputes relating to natural resources and laying the foundations for promoting processes of inclusive development;

(h) invited the Office to pursue its technical assistance and cooperation with the Government so as to facilitate the establishment of the process of consultation envisaged in points (a), (b) and (c) above and to assist the Government in the formulation of the legislation referred to in point (g) above;

(i) invited the Government to supply information to the Office regarding the application of the aforementioned items for examination by the Committee of Experts.

The Governing Body adopted the report, and particularly paragraph 60 thereof, and declared the proceedings concerning this representation closed.

REPORT OF THE OFFICERS OF THE GOVERNING BODY

_Representation alleging non-observance by Chile of the Forced Labour Convention, 1930 (No. 29), submitted under article 24 of the ILO Constitution by the Colegio de Abogados de Chile AG_

The Governing Body decided that the representation was receivable and set up a committee for its examination.

*This paragraph contains subparagraphs (a) to (i) listed above.*
COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS


The Governing Body:

Approved the proposal that the Meeting be attended by three competent medical specialists (nautical doctors) nominated by the WHO and three representatives nominated by the Shipowners' and Seafarers' groups of the Joint Maritime Commission.

Approved the following agenda for the Joint Meeting:

to examine the draft third edition of the IMGS with a view to approving its production by WHO as a joint WHO/IMO/ILO publication urgently before November 2007.


The Governing Body approved the following agenda, proposed by the Director-General for this Meeting:

— Global production systems: trends, prospects and opportunities for business to contribute to economic and social development
— Rules of the game: the regulation of global production systems
— Social and labour standards in the supply chain
— The role of business associations

The purpose of the Symposium is to help employers' organizations to improve the policy environment so that global production systems provide opportunities for everybody to benefit, leading to progress towards the global goal of decent work for women and men everywhere.

ILO Forum on Decent Work for a Fair Globalization (Lisbon, 31 October-2 November 2007)

The Governing Body approved a number of proposals by the Director-General:

— The titular members of the Governing Body, or their deputies, attending the 300th Session (November 2007) of the Governing Body should be invited to the Forum, together with ten additional Employer and Worker representatives, nominated by their respective groups.

— The following six topics should be discussed in parallel sessions:
  — Employability: Education, skills development and technology
  — Upgrading work and enterprises in the informal economy
  — Migration for work, within borders and internationally
  — Social protection policies for social cohesion and economic development
  — Policy coherence among international organizations
  — Decent work opportunities for young women and men: Overcoming discrimination and disadvantage.

¹ The composition of this Symposium, as indicated in Official Bulletin, Vol. XC, 2007, Series A, No. 1, page 15: "The Governing Body [at its 298th Session (March 2007)] approved the proposal that the Meeting be attended by representatives of 30 employers' organizations from both industrialized and developing countries in Africa, the Americas, Asia and the Pacific, Europe and the Arab region, nominated after consultation with the Employers' group of the Governing Body. Enterprises which are interested in following the meeting will be invited to participate as observers, at their own cost."
The Governing Body approved the following proposals by the Director-General:

— That the meeting should be attended by the Governing Body members of the Subcommittee on Multinational Enterprises. A number of leading multinational enterprises would be invited to make presentations by senior management and workers’ representatives. In addition to those participants, around 100 additional multinational enterprises would be invited to participate at their own cost. The selection of companies would be made in close consultation with ILO constituents, especially with the Officers of the Subcommittee on Multinational Enterprises.

— The Governing Body approved the following proposed agenda for the meeting:

— To share and exchange “effective practices” that illustrate how the principles of the MNE Declaration are put into practice at the company level.

— To raise the awareness of the MNE Declaration and promote its better use in the business world.

— To identify what companies expect from the ILO in supporting their efforts to improve labour conditions.

**INFORMATION DOCUMENTS**

**Programme of meetings for the remainder of 2007 and for 2008**

The Governing Body had before it the following programme of meetings, as approved by its Officers.

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td><strong>2007</strong></td>
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<tr>
<td>24-27 September</td>
<td>Tripartite Meeting to Examine the Impact of Global Food Chains on Employment</td>
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<tr>
<td>8-12 October</td>
<td>International Symposium on the Role of Trade Unions in Workers’ Education: The Key to Trade Union Capacity Building</td>
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<tr>
<td>17-19 October</td>
<td>Symposium on the Labour and Social Aspects of Global Production Systems: Issues for Business</td>
<td>&quot;</td>
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<tr>
<td>31 October-2 November</td>
<td>ILO Forum on Decent Work for a Fair Globalization</td>
<td>Lisbon, Portugal</td>
</tr>
<tr>
<td>1-15 November</td>
<td>300th Session of the Governing Body and its committees</td>
<td>Geneva</td>
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<tr>
<td>15-16 November</td>
<td>30th Anniversary of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy</td>
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<tr>
<td>22 November-7 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>3-6 December</td>
<td>Tripartite Meeting of Experts on Labour Statistics</td>
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<tr>
<td>10-13 December</td>
<td>Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical Cooperation and International Collaboration as Tools with a view to Developing a Policy Framework for Hazardous Substances</td>
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<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
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<tr>
<td>To be determined</td>
<td>Joint ILO-IMO-Basel Convention Working Group on Ship Scrapping (third meeting)</td>
<td>Geneva</td>
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<tr>
<td>To be determined²</td>
<td>Tripartite Meeting of Experts on Working Time</td>
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<tr>
<td>2008</td>
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<tr>
<td>14-18 January</td>
<td>Meeting of the ILO Declaration Expert-Advisers</td>
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<tr>
<td>6-20 March¹</td>
<td>301st Session of the Governing Body and its committees</td>
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<tr>
<td>22-23 May</td>
<td>Governing Body Committee on Freedom of Association</td>
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<tr>
<td>28 May-13 June⁴</td>
<td>97th Session of the International Labour Conference</td>
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<tr>
<td>13 June⁴</td>
<td>302nd Session of the Governing Body</td>
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<tr>
<td>September</td>
<td>Meeting of Experts to Adopt Guidelines on Port State Responsibilities for the Inspection of Labour Conditions on Board Ships</td>
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<tr>
<td>September</td>
<td>Meeting of Experts to Adopt Guidelines on Flag State Responsibilities under the Maritime Labour Convention, 2006</td>
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<td>6-21 November</td>
<td>303rd Session of the Governing Body and its committees</td>
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<tr>
<td>24-26 November</td>
<td>Global Dialogue Forum on Vocational Education and Skills Development for Commerce Workers</td>
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<tr>
<td>27 November-12 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>24 November-5 December</td>
<td>18th International Conference of Labour Statisticians</td>
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<td>To be determined</td>
<td>Eighth European Regional Meeting</td>
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¹ After the closure of the Governing Body session.
² Subject to the decision to be taken by the Governing Body as regards the financing of the Meeting.
³ Due to the long Easter weekend (21-24 March 2008), the Governing Body must complete its work on Thursday, 20 March 2008.
⁴ Subject to the Governing Body decision on the format of the 2008 Conference.
Official measures taken regarding decisions of the International Labour Conference

Instrument for the Amendment of the Constitution of the International Labour Organization, 1997

Acceptances

In accordance with article 3 of the Instrument for the Amendment of the Constitution of the International Labour Organization, 1997, the following acceptances have been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
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<tbody>
<tr>
<td>Brunei Darussalam</td>
<td>Acceptance</td>
<td>14 June 2007</td>
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<tr>
<td>Lao People's Democratic Republic</td>
<td>Acceptance</td>
<td>1 June 2007</td>
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<tr>
<td>Montenegro</td>
<td>Acceptance</td>
<td>12 June 2007</td>
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<tr>
<td>Tunisia</td>
<td>Acceptance</td>
<td>6 July 2007</td>
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The total number of ratifications and acceptances is thus 98, including six by States of chief industrial importance.

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1 Period covered: 1 May to 31 August 2007.
International Labour Conventions: Ratifications

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification</th>
<th>Date on which ratification will take effect</th>
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<tbody>
<tr>
<td>Japan</td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
<td>24 July 2007</td>
<td>12 months after the date on which the second ratification has been registered</td>
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<tr>
<td>Kuwait</td>
<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
<td>9 August 2007</td>
<td>9 August 2008</td>
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<td>Lithuania</td>
<td>Nursing Personnel Convention, 1977 (No. 149)</td>
<td>12 June 2007</td>
<td>12 June 2008</td>
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<tr>
<td>Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>6 June 2007</td>
<td>6 December 2007</td>
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<tr>
<td>Montenegro¹</td>
<td>Unemployment Convention, 1919 (No. 2)</td>
<td>3 June 2006</td>
<td>3 June 2006</td>
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<td>Maternity Protection Convention, 1919 (No. 3)</td>
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<td>Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)</td>
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<td>Placing of Seamen Convention, 1920 (No. 9)</td>
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<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
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<td>Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)</td>
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<td>White Lead (Painting) Convention, 1921 (No. 13)</td>
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<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
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<td>Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)</td>
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<td>Convention</td>
<td>Date of registration of ratification</td>
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<tr>
<td>Montenegro (cont.)</td>
<td>Workmen's Compensation (Accidents) Convention, 1925 (No. 17)</td>
<td>3 June 2006</td>
<td>3 June 2006</td>
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<td>Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)</td>
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<td>Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)</td>
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<td>Seamen's Articles of Agreement Convention, 1926 (No. 22)</td>
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<td>Repatriation of Seamen Convention, 1926 (No. 23)</td>
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<td>Sickness Insurance (Industry) Convention, 1927 (No. 24)</td>
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<td>Sickness Insurance (Agriculture) Convention, 1927 (No. 25)</td>
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<td>Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)</td>
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<td>Forced Labour Convention, 1930 (No. 29)</td>
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<td>Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)</td>
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<td>Underground Work (Women) Convention, 1935 (No. 45)</td>
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<td>Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)</td>
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<td>Officers' Competency Certificates Convention, 1936 (No. 53)</td>
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<td>Sickness Insurance (Sea) Convention, 1936 (No. 56)</td>
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<td>Certification of Ships' Cooks Convention, 1946 (No. 69)</td>
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<td>Medical Examination (Seafarers) Convention, 1946 (No. 73)</td>
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<td>Certification of Able Seamen Convention, 1946 (No. 74)</td>
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<td>Final Articles Revision Convention, 1946 (No. 80)</td>
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<td>Labour Inspection Convention, 1947 (No. 81)</td>
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<td>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</td>
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<td>Employment Service Convention, 1948 (No. 88)</td>
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<td>Night Work (Women) Convention (Revised), 1948 (No. 89)</td>
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<td>Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)</td>
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<td>Accommodation of Crews Convention (Revised), 1949 (No. 92)</td>
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<td>Migration for Employment Convention (Revised), 1949 (No. 97)</td>
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*Pursuant to Article 14, paragraph 1, of the Convention, the Government has excluded the provisions of Annex III.*
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<tr>
<th>State</th>
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<th>Date of registration of ratification</th>
<th>Date on which ratification will take effect</th>
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<td>Montenegro (cont.)</td>
<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td>Equal Remuneration Convention, 1951 (No. 100)</td>
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<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
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<td>Pursuant to Article 2(b) of the Convention, the Government accepts the obligations of Parts II to VI, VIII and X of the Convention. Part VI is no longer applicable as a result of the ratification of Convention No. 121.</td>
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<td>Maternity Protection Convention (Revised), 1952 (No. 103)</td>
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<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
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<td>Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)</td>
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<td>Pursuant to Article 3, paragraph 1, of the Convention, the Government has declared that the Convention also applies to persons employed in the establishments specified in this Article.</td>
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<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
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<td>Medical Examination (Fishermen) Convention, 1959 (No. 113)</td>
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<td>Fishermen's Articles of Agreement Convention, 1959 (No. 114)</td>
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<td>Final Articles Revision Convention, 1961 (No. 116)</td>
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<td>Guarding of Machinery Convention, 1963 (No. 119)</td>
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<td>Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)</td>
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<td>Employment Policy Convention, 1964 (No. 122)</td>
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<td>Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)</td>
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<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
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<td>Minimum Wage Fixing Convention, 1970 (No. 131)</td>
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<td>Holidays with Pay Convention (Revised), 1970 (No. 132)</td>
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<td>Pursuant to Article 3, paragraph 2, of the Convention, the Government has specified that the length of annual paid holiday is 18 working days. The Government has accepted the provisions of Article 15, paragraph 1(a) and (b) of this Convention.</td>
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<td>Workers' Representatives Convention, 1971 (No. 135)</td>
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<td>Benzene Convention, 1971 (No. 136)</td>
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<td>Minimum Age Convention, 1973 (No. 138)</td>
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<td>Pursuant to Article 2, paragraph 1, of the Convention, the minimum age of 15 years has been specified.</td>
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<td>Montenegro (cont.)</td>
<td>Occupational Cancer Convention, 1974 (No. 139)</td>
<td>3 June 2006</td>
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<td>Paid Educational Leave Convention, 1974 (No. 140)</td>
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<td>Human Resources Development Convention, 1975 (No. 142)</td>
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<td>Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)</td>
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<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
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<td>Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)</td>
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<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
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<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
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<td>Termination of Employment Convention, 1982 (No. 158)</td>
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<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<td>Occupational Health Services Convention, 1985 (No. 161)</td>
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<td>Asbestos Convention, 1986 (No. 162)</td>
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<td>Worst Forms of Child Labour Convention, 1999 (No. 182)</td>
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<td>Trinidad and Tobago</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
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<td>Labour Administration Convention, 1978 (No. 150)</td>
<td>17 August 2007</td>
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</table>

1 Following the admission of Montenegro to the International Labour Organization, the Government of Montenegro declared that it continued to be bound by the obligations arising under the abovementioned Conventions which had been previously applicable to its territory.
Constitution, Recommendation and resolutions adopted by the International Labour Conference at its 96th Session

(Geneva, May-June 2007)

The Text of the Convention, Recommendation and resolutions that follow are the authentic texts, duly adopted by the General Conference of the International Labour Organization during its Ninety-sixth Session and signed by the President of the Conference, Mr Kastriot Sulka, and the Director-General of the International Labour Office, Mr Juan Somavia, on the fourteenth day of June 2007.

CONVENTION

Convention 188

Convention concerning work in the fishing sector, 2007

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Ninety-sixth Session on 30 May 2007, and

Recognizing that globalization has a profound impact on the fishing sector, and

Noting the ILO Declaration on Fundamental Principles and Rights at Work, 1998, and

Taking into consideration the fundamental rights to be found in the following international labour Conventions: the Forced Labour Convention, 1930 (No. 29), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Equal Remuneration Convention, 1951 (No. 100), the Abolition of Forced Labour Convention, 1957 (No. 105), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and

Noting the relevant instruments of the International Labour Organization, in particular the Occupational Safety and Health Convention (No. 155) and Recommendation (No. 164), 1981, and the Occupational Health Services Convention (No. 161) and Recommendation (No. 171), 1985, and

Noting, in addition, the Social Security (Minimum Standards) Convention, 1952 (No. 102), and considering that the provisions of Article 77 of that Convention should not be an obstacle to protection extended by Members to fishers under social security schemes, and

Recognizing that the International Labour Organization considers fishing as a hazardous occupation when compared to other occupations, and

1 This section contains the decisions of the Conference, without details of the circumstances of their adoption, except where they were the result of a formal vote. The comments or reservations by delegates or groups, subject to which the decisions were taken, will be found in detail in the Record of Proceedings of the 96th Session of the Conference (2007), and may also be consulted at: www.ilo.org by following the links for the International Labour Conference and the meeting in question. For the resolutions adopted, please see pages 79 to 97 below.

2 Adopted by the International Labour Conference on 14 June 2007, by 437 votes in favour, and 2 votes against. There were 22 abstentions.
Noting also Article 1, paragraph 3, of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), and

Mindful of the core mandate of the Organization, which is to promote decent conditions of work, and

Mindful of the need to protect and promote the rights of fishers in this regard, and


Taking into account the need to revise the following international Conventions adopted by the International Labour Conference specifically concerning the fishing sector, namely the Minimum Age (Fishermen) Convention, 1959 (No. 112), the Medical Examination (Fishermen) Convention, 1959 (No. 113), the Fishermen's Articles of Agreement Convention, 1959 (No. 114), and the Accommodation of Crews (Fishermen) Convention, 1966 (No. 126), to bring them up to date and to reach a greater number of the world's fishers, particularly those working on board smaller vessels, and

Noting that the objective of this Convention is to ensure that fishers have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security; and

Having decided upon the adoption of certain proposals with regard to work in the fishing sector, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention; adopts this fourteenth day of June of the year two thousand and seven the following Convention, which may be cited as the Work in Fishing Convention, 2007.

PART I. DEFINITIONS AND SCOPE

DEFINITIONS

Article 1

For the purposes of the Convention:

(a) "commercial fishing" means all fishing operations, including fishing operations on rivers, lakes or canals, with the exception of subsistence fishing and recreational fishing;

(b) "competent authority" means the minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned;

(c) "consultation" means consultation by the competent authority with the representative organizations of employers and workers concerned, and in particular the representative organizations of fishing vessel owners and fishers, where they exist;

(d) "fishing vessel owner" means the owner of the fishing vessel or any other organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the vessel from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on fishing vessel owners in accordance with the Convention, regardless of whether any other organization or person fulfils certain of the duties or responsibilities on behalf of the fishing vessel owner;

(e) "fisher" means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other
persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers;

(f) "fisher's work agreement" means a contract of employment, articles of agreement or other similar arrangements, or any other contract governing a fisher's living and working conditions on board a vessel;

(g) "fishing vessel" or "vessel" means any ship or boat, of any nature whatsoever, irrespective of the form of ownership, used or intended to be used for the purpose of commercial fishing;

(h) "gross tonnage" means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any instrument amending or replacing it;

(i) "length" (L) shall be taken as 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the keel line, or as the length from the foreshade of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline;

(j) "length overall" (LOA) shall be taken as the distance in a straight line parallel to the designed waterline between the foremost point of the bow and the aftermost point of the stern;

(k) "recruitment and placement service" means any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting fishers on behalf of, or placing fishers with, fishing vessel owners;

(l) "skipper" means the fisher having command of a fishing vessel.

SCOPE

Article 2

1. Except as otherwise provided herein, this Convention applies to all fishers and all fishing vessels engaged in commercial fishing operations.

2. In the event of doubt as to whether a vessel is engaged in commercial fishing, the question shall be determined by the competent authority after consultation.

3. Any Member, after consultation, may extend, in whole or in part, to fishers working on smaller vessels the protection provided in this Convention for fishers working on vessels of 24 metres in length and over.

Article 3

1. Where the application of the Convention raises special problems of a substantial nature in the light of the particular conditions of service of the fishers or of the fishing vessels' operations concerned, a Member may, after consultation, exclude from the requirements of this Convention, or from certain of its provisions:

(a) fishing vessels engaged in fishing operations in rivers, lakes or canals;

(b) limited categories of fishers or fishing vessels.

2. In case of exclusions under the preceding paragraph, and where practicable, the competent authority shall take measures, as appropriate, to extend progressively the requirements under this Convention to the categories of fishers and fishing vessels concerned.

3. Each Member which ratifies this Convention shall:

(a) in its first report on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation:

(i) list any categories of fishers or fishing vessels excluded under paragraph 1;
Article 4

1. Where it is not immediately possible for a Member to implement all of the measures provided for in this Convention owing to special problems of a substantial nature in the light of insufficiently developed infrastructure or institutions, the Member may, in accordance with a plan drawn up in consultation, progressively implement all or some of the following provisions:

(a) Article 10, paragraph 1;
(b) Article 10, paragraph 3, in so far as it applies to vessels remaining at sea for more than three days;
(c) Article 15;
(d) Article 20;
(e) Article 33; and
(f) Article 38.

2. Paragraph 1 does not apply to fishing vessels which:

(a) are 24 metres in length and over; or
(b) remain at sea for more than seven days; or
(c) normally navigate at a distance exceeding 200 nautical miles from the coastline of the flag State or navigate beyond the outer edge of its continental shelf, whichever distance from the coastline is greater; or
(d) are subject to port State control as provided for in Article 43 of this Convention, except where port State control arises through a situation of force majeure, nor to fishers working on such vessels.

3. Each Member which avails itself of the possibility afforded in paragraph 1 shall:

(a) in its first report on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation:
   (i) indicate the provisions of the Convention to be progressively implemented;
   (ii) explain the reasons and state the respective positions of representative organizations of employers and workers concerned, and in particular the representative organizations of fishing vessel owners and fishers, where they exist; and
   (iii) describe the plan for progressive implementation; and
(b) in subsequent reports on the application of this Convention, describe measures taken with a view to giving effect to all of the provisions of the Convention.

Article 5

1. For the purpose of this Convention, the competent authority, after consultation, may decide to use length overall (LOA) in place of length (L) as the basis for measurement, in accordance with the equivalence set out in Annex I. In addition, for the purpose of the paragraphs specified in Annex III of this Convention, the competent authority, after
consultation, may decide to use gross tonnage in place of length (L) or length overall (LOA) as the basis for measurement in accordance with the equivalence set out in Annex III.

2. In the reports submitted under article 22 of the Constitution, the Member shall communicate the reasons for the decision taken under this Article and any comments arising from the consultation.

PART II. GENERAL PRINCIPLES
IMPLEMENTATION

Article 6

1. Each Member shall implement and enforce laws, regulations or other measures that it has adopted to fulfil its commitments under this Convention with respect to fishers and fishing vessels under its jurisdiction. Other measures may include collective agreements, court decisions, arbitration awards, or other means consistent with national law and practice.

2. Nothing in this Convention shall affect any law, award or custom, or any agreement between fishing vessel owners and fishers, which ensures more favourable conditions than those provided for in this Convention.

COMPETENT AUTHORITY AND COORDINATION

Article 7

Each Member shall:
(a) designate the competent authority or authorities; and
(b) establish mechanisms for coordination among relevant authorities for the fishing sector at the national and local levels, as appropriate, and define their functions and responsibilities, taking into account their complementarities and national conditions and practice.

RESPONSIBILITIES OF FISHING VESSEL OWNERS, SKIPERS AND FISHERS

Article 8

1. The fishing vessel owner has the overall responsibility to ensure that the skipper is provided with the necessary resources and facilities to comply with the obligations of this Convention.

2. The skipper has the responsibility for the safety of the fishers on board and the safe operation of the vessel, including but not limited to the following areas:
(a) providing such supervision as will ensure that, as far as possible, fishers perform their work in the best conditions of safety and health;
(b) managing the fishers in a manner which respects safety and health, including prevention of fatigue;
(c) facilitating on-board occupational safety and health awareness training; and
(d) ensuring compliance with safety of navigation, watchkeeping and associated good seamanship standards.

3. The skipper shall not be constrained by the fishing vessel owner from taking any decision which, in the professional judgement of the skipper, is necessary for the safety of the vessel and its safe navigation and safe operation, or the safety of the fishers on board.

4. Fishers shall comply with the lawful orders of the skipper and applicable safety and health measures.
PART III. MINIMUM REQUIREMENTS
FOR WORK ON BOARD FISHING VESSELS

MINIMUM AGE

Article 9

1. The minimum age for work on board a fishing vessel shall be 16 years. However, the competent authority may authorize a minimum age of 15 for persons who are no longer subject to compulsory schooling as provided by national legislation, and who are engaged in vocational training in fishing.

2. The competent authority, in accordance with national laws and practice, may authorize persons of the age of 15 to perform light work during school holidays. In such cases, it shall determine, after consultation, the kinds of work permitted and shall prescribe the conditions in which such work shall be undertaken and the periods of rest required.

3. The minimum age for assignment to activities on board fishing vessels, which by their nature or the circumstances in which they are carried out are likely to jeopardize the health, safety or morals of young persons, shall not be less than 18 years.

4. The types of activities to which paragraph 3 of this Article applies shall be determined by national laws or regulations, or by the competent authority, after consultation, taking into account the risks concerned and the applicable international standards.

5. The performance of the activities referred to in paragraph 3 of this Article as from the age of 16 may be authorized by national laws or regulations, or by decision of the competent authority, after consultation, on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons concerned have received adequate specific instruction or vocational training and have completed basic pre-sea safety training.

6. The engagement of fishers under the age of 18 for work at night shall be prohibited. For the purpose of this Article, "night" shall be defined in accordance with national law and practice. It shall cover a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m. An exception to strict compliance with the night work restriction may be made by the competent authority when:
   (a) the effective training of the fishers concerned, in accordance with established programmes and schedules, would be impaired; or
   (b) the specific nature of the duty or a recognized training programme requires that fishers covered by the exception perform duties at night and the authority determines, after consultation, that the work will not have a detrimental impact on their health or well-being.

7. Nothing in this Article shall affect any obligations assumed by the Member arising from the ratification of any other international labour Convention.

MEDICAL EXAMINATION

Article 10

1. No fishers shall work on board a fishing vessel without a valid medical certificate attesting to fitness to perform their duties.

2. The competent authority, after consultation, may grant exemptions from the application of paragraph 1 of this Article, taking into account the safety and health of fishers, size of the vessel, availability of medical assistance and evacuation, duration of the voyage, area of operation, and type of fishing operation.
3. The exemptions in paragraph 2 of this Article shall not apply to a fisher working on a fishing vessel of 24 metres in length and over or which normally remains at sea for more than three days. In urgent cases, the competent authority may permit a fisher to work on such a vessel for a period of a limited and specified duration until a medical certificate can be obtained, provided that the fisher is in possession of an expired medical certificate of a recent date.

Article 11

Each Member shall adopt laws, regulations or other measures providing for:

(a) the nature of medical examinations;
(b) the form and content of medical certificates;
(c) the issue of a medical certificate by a duly qualified medical practitioner or, in the case of a certificate solely concerning eyesight, by a person recognized by the competent authority as qualified to issue such a certificate; these persons shall enjoy full independence in exercising their professional judgement;
(d) the frequency of medical examinations and the period of validity of medical certificates;
(e) the right to a further examination by a second independent medical practitioner in the event that a person has been refused a certificate or has had limitations imposed on the work he or she may perform; and
(f) other relevant requirements.

Article 12

In addition to the requirements set out in Article 10 and Article 11, on a fishing vessel of 24 metres in length and over, or on a vessel which normally remains at sea for more than three days:

1. The medical certificate of a fisher shall state, at a minimum, that:
   (a) the hearing and sight of the fisher concerned are satisfactory for the fisher's duties on the vessel; and
   (b) the fisher is not suffering from any medical condition likely to be aggravated by service at sea or to render the fisher unfit for such service or to endanger the safety or health of other persons on board.

2. The medical certificate shall be valid for a maximum period of two years unless the fisher is under the age of 18, in which case the maximum period of validity shall be one year.

3. If the period of validity of a certificate expires in the course of a voyage, the certificate shall remain in force until the end of that voyage.

PART IV. CONDITIONS OF SERVICE

MANNING AND HOURS OF REST

Article 13

Each Member shall adopt laws, regulations or other measures requiring that owners of fishing vessels flying its flag ensure that:

(a) their vessels are sufficiently and safely manned for the safe navigation and operation of the vessel and under the control of a competent skipper; and
(b) fishers are given regular periods of rest of sufficient length to ensure safety and health.
Article 14

1. In addition to the requirements set out in Article 13, the competent authority shall:
   (a) for vessels of 24 metres in length and over, establish a minimum level of manning for
       the safe navigation of the vessel, specifying the number and the qualifications of the
       fishers required;
   (b) for fishing vessels regardless of size remaining at sea for more than three days, after
       consultation and for the purpose of limiting fatigue, establish the minimum hours of
       rest to be provided to fishers. Minimum hours of rest shall not be less than:
       (i) ten hours in any 24-hour period; and
       (ii) 77 hours in any seven-day period.

2. The competent authority may permit, for limited and specified reasons, temporary
   exceptions to the limits established in paragraph 1(b) of this Article. However, in such cir­
   cumstances, it shall require that fishers shall receive compensatory periods of rest as soon
   as practicable.

3. The competent authority, after consultation, may establish alternative requirements
   to those in paragraphs 1 and 2 of this Article. However, such alternative requirements shall
   be substantially equivalent and shall not jeopardize the safety and health of the fishers.

4. Nothing in this Article shall be deemed to impair the right of the skipper of a vessel
   to require a fisher to perform any hours of work necessary for the immediate safety of the
   vessel, the persons on board or the catch, or for the purpose of giving assistance to other
   boats or ships or persons in distress at sea. Accordingly, the skipper may suspend the sched­
   ule of hours of rest and require a fisher to perform any hours of work necessary until the
   normal situation has been restored. As soon as practicable after the normal situation has
   been restored, the skipper shall ensure that any fishers who have performed work in a sched­
   uled rest period are provided with an adequate period of rest.

CREW LIST

Article 15

Every fishing vessel shall carry a crew list, a copy of which shall be provided to author­
ized persons ashore prior to departure of the vessel, or communicated ashore immediately
after departure of the vessel. The competent authority shall determine to whom and when
such information shall be provided and for what purpose or purposes.

FISHER’S WORK AGREEMENT

Article 16

Each Member shall adopt laws, regulations or other measures:
   (a) requiring that fishers working on vessels flying its flag have the protection of a fisher’s
       work agreement that is comprehensible to them and is consistent with the provisions of
       this Convention; and
   (b) specifying the minimum particulars to be included in fishers’ work agreements in accor­
       dance with the provisions contained in Annex II.

Article 17

Each Member shall adopt laws, regulations or other measures regarding:
   (a) procedures for ensuring that a fisher has an opportunity to review and seek advice on
       the terms of the fisher’s work agreement before it is concluded;
(b) where applicable, the maintenance of records concerning the fisher's work under such an agreement; and
(c) the means of settling disputes in connection with a fisher's work agreement.

Article 18

The fisher's work agreement, a copy of which shall be provided to the fisher, shall be carried on board and be available to the fisher and, in accordance with national law and practice, to other concerned parties on request.

Article 19

Articles 16 to 18 and Annex II do not apply to a fishing vessel owner who is also single-handedly operating the vessel.

Article 20

It shall be the responsibility of the fishing vessel owner to ensure that each fisher has a written fisher's work agreement signed by both the fisher and the fishing vessel owner or by an authorized representative of the fishing vessel owner (or, where fishers are not employed or engaged by the fishing vessel owner, the fishing vessel owner shall have evidence of contractual or similar arrangements) providing decent work and living conditions on board the vessel as required by this Convention.

REPATRIATION

Article 21

1. Members shall ensure that fishers on a fishing vessel that flies their flag and that enters a foreign port are entitled to repatriation in the event that the fisher's work agreement has expired or has been terminated for justified reasons by the fisher or by the fishing vessel owner, or the fisher is no longer able to carry out the duties required under the work agreement or cannot be expected to carry them out in the specific circumstances. This also applies to fishers from that vessel who are transferred for the same reasons from the vessel to the foreign port.

2. The cost of the repatriation referred to in paragraph 1 of this Article shall be borne by the fishing vessel owner, except where the fisher has been found, in accordance with national laws, regulations or other measures, to be in serious default of his or her work agreement obligations.

3. Members shall prescribe, by means of laws, regulations or other measures, the precise circumstances entitling a fisher covered by paragraph 1 of this Article to repatriation, the maximum duration of service periods on board following which a fisher is entitled to repatriation, and the destinations to which fishers may be repatriated.

4. If a fishing vessel owner fails to provide for the repatriation referred to in this Article, the Member whose flag the vessel flies shall arrange for the repatriation of the fisher concerned and shall be entitled to recover the cost from the fishing vessel owner.

5. National laws and regulations shall not prejudice any right of the fishing vessel owner to recover the cost of repatriation under third party contractual agreements.
RECRUITMENT AND PLACEMENT

Article 22

Recruitment and placement of fishers

1. Each Member that operates a public service providing recruitment and placement for fishers shall ensure that the service forms part of, or is coordinated with, a public employment service for all workers and employers.

2. Any private service providing recruitment and placement for fishers which operates in the territory of a Member shall do so in conformity with a standardized system of licensing or certification or other form of regulation, which shall be established, maintained or modified only after consultation.

3. Each Member shall, by means of laws, regulations or other measures:
   (a) prohibit recruitment and placement services from using means, mechanisms or lists intended to prevent or deter fishers from engaging for work;
   (b) require that no fees or other charges for recruitment or placement of fishers be borne directly or indirectly, in whole or in part, by the fisher; and
   (c) determine the conditions under which any licence, certificate or similar authorization of a private recruitment or placement service may be suspended or withdrawn in case of violation of relevant laws or regulations; and specify the conditions under which private recruitment and placement services can operate.

Private employment agencies

4. A Member which has ratified the Private Employment Agencies Convention, 1997 (No. 181), may allocate certain responsibilities under this Convention to private employment agencies that provide the services referred to in paragraph 1(b) of Article I of that Convention. The respective responsibilities of any such private employment agencies and of the fishing vessel owners, who shall be the “user enterprise” for the purpose of that Convention, shall be determined and allocated, as provided for in Article 12 of that Convention. Such a Member shall adopt laws, regulations or other measures to ensure that no allocation of the respective responsibilities or obligations to the private employment agencies providing the service and to the “user enterprise” pursuant to this Convention shall preclude the fisher from asserting a right to a lien arising against the fishing vessel.

5. Notwithstanding the provisions of paragraph 4, the fishing vessel owner shall be liable in the event that the private employment agency defaults on its obligations to a fisher for whom, in the context of the Private Employment Agencies Convention, 1997 (No. 181), the fishing vessel owner is the “user enterprise”.

6. Nothing in this Convention shall be deemed to impose on a Member the obligation to allow the operation in its fishing sector of private employment agencies as referred to in paragraph 4 of this Article.

PAYMENT OF FISHERS

Article 23

Each Member, after consultation, shall adopt laws, regulations or other measures providing that fishers who are paid a wage are ensured a monthly or other regular payment.

Article 24

Each Member shall require that all fishers working on board fishing vessels shall be given a means to transmit all or part of their payments received, including advances, to their families at no cost.
PART V. ACCOMMODATION AND FOOD

Article 25

Each Member shall adopt laws, regulations or other measures for fishing vessels that fly its flag with respect to accommodation, food and potable water on board.

Article 26

Each Member shall adopt laws, regulations or other measures requiring that accommodation on board fishing vessels that fly its flag shall be of sufficient size and quality and appropriately equipped for the service of the vessel and the length of time fishers live on board. In particular, such measures shall address, as appropriate, the following issues:

(a) approval of plans for the construction or modification of fishing vessels in respect of accommodation;

(b) maintenance of accommodation and galley spaces with due regard to hygiene and overall safe, healthy and comfortable conditions;

(c) ventilation, heating, cooling and lighting;

(d) mitigation of excessive noise and vibration;

(e) location, size, construction materials, furnishing and equipping of sleeping rooms, mess rooms and other accommodation spaces;

(f) sanitary facilities, including toilets and washing facilities, and supply of sufficient hot and cold water; and

(g) procedures for responding to complaints concerning accommodation that does not meet the requirements of this Convention.

Article 27

Each Member shall adopt laws, regulations or other measures requiring that:

(a) the food carried and served on board be of a sufficient nutritional value, quality and quantity;

(b) potable water be of sufficient quality and quantity; and

(c) the food and water shall be provided by the fishing vessel owner at no cost to the fisher. However, in accordance with national laws and regulations, the cost can be recovered as an operational cost if the collective agreement governing a share system or a fisher’s work agreement so provides.

Article 28

1. The laws, regulations or other measures to be adopted by the Member in accordance with Articles 25 to 27 shall give full effect to Annex III concerning fishing vessel accommodation. Annex III may be amended in the manner provided for in Article 45.

2. A Member which is not in a position to implement the provisions of Annex III may, after consultation, adopt provisions in its laws and regulations or other measures which are substantially equivalent to the provisions set out in Annex III, with the exception of provisions related to Article 27.
PART VI. MEDICAL CARE, HEALTH PROTECTION AND SOCIAL SECURITY

MEDICAL CARE

Article 29

Each Member shall adopt laws, regulations or other measures requiring that:

(a) fishing vessels carry appropriate medical equipment and medical supplies for the service of the vessel, taking into account the number of fishers on board, the area of operation and the length of the voyage;

(b) fishing vessels have at least one fisher on board who is qualified or trained in first aid and other forms of medical care and who has the necessary knowledge to use the medical equipment and supplies for the vessel concerned, taking into account the number of fishers on board, the area of operation and the length of the voyage;

(c) medical equipment and supplies carried on board be accompanied by instructions or other information in a language and format understood by the fisher or fishers referred to in subparagraph (b);

(d) fishing vessels be equipped for radio or satellite communication with persons or services ashore that can provide medical advice, taking into account the area of operation and the length of the voyage; and

(e) fishers have the right to medical treatment ashore and the right to be taken ashore in a timely manner for treatment in the event of serious injury or illness.

Article 30

For fishing vessels of 24 metres in length and over, taking into account the number of fishers on board, the area of operation and the duration of the voyage, each Member shall adopt laws, regulations or other measures requiring that:

(a) the competent authority prescribe the medical equipment and medical supplies to be carried on board;

(b) the medical equipment and medical supplies carried on board be properly maintained and inspected at regular intervals established by the competent authority by responsible persons designated or approved by the competent authority;

(c) the vessels carry a medical guide adopted or approved by the competent authority, or the latest edition of the International Medical Guide for Ships;

(d) the vessels have access to a prearranged system of medical advice to vessels at sea by radio or satellite communication, including specialist advice, which shall be available at all times;

(e) the vessels carry on board a list of radio or satellite stations through which medical advice can be obtained; and

(f) to the extent consistent with the Member's national law and practice, medical care while the fisher is on board or landed in a foreign port be provided free of charge to the fisher.

OCCUPATIONAL SAFETY AND HEALTH AND ACCIDENT PREVENTION

Article 31

Each Member shall adopt laws, regulations or other measures concerning:

(a) the prevention of occupational accidents, occupational diseases and work-related risks on board fishing vessels, including risk evaluation and management, training and on-board instruction of fishers;
(b) training for fishers in the handling of types of fishing gear they will use and in the knowledge of the fishing operations in which they will be engaged;
(c) the obligations of fishing vessel owners, fishers and others concerned, due account being taken of the safety and health of fishers under the age of 18;
(d) the reporting and investigation of accidents on board fishing vessels flying its flag; and
(e) the setting up of joint committees on occupational safety and health or, after consultation, of other appropriate bodies.

Article 32

1. The requirements of this Article shall apply to fishing vessels of 24 metres in length and over normally remaining at sea for more than three days and, after consultation, to other vessels, taking into account the number of fishers on board, the area of operation, and the duration of the voyage.

2. The competent authority shall:
(a) after consultation, require that the fishing vessel owner, in accordance with national laws, regulations, collective bargaining agreements and practice, establish on-board procedures for the prevention of occupational accidents, injuries and diseases, taking into account the specific hazards and risks on the fishing vessel concerned; and
(b) require that fishing vessel owners, skippers, fishers and other relevant persons be provided with sufficient and suitable guidance, training material, or other appropriate information on how to evaluate and manage risks to safety and health on board fishing vessels.

3. Fishing vessel owners shall:
(a) ensure that every fisher on board is provided with appropriate personal protective clothing and equipment;
(b) ensure that every fisher on board has received basic safety training approved by the competent authority; the competent authority may grant written exemptions from this requirement for fishers who have demonstrated equivalent knowledge and experience; and
(c) ensure that fishers are sufficiently and reasonably familiarized with equipment and its methods of operation, including relevant safety measures, prior to using the equipment or participating in the operations concerned.

Article 33

Risk evaluation in relation to fishing shall be conducted, as appropriate, with the participation of fishers or their representatives.

SOCIAL SECURITY

Article 34

Each Member shall ensure that fishers ordinarily resident in its territory, and their dependants to the extent provided in national law, are entitled to benefit from social security protection under conditions no less favourable than those applicable to other workers, including employed and self-employed persons, ordinarily resident in its territory.

Article 35

Each Member shall undertake to take steps, according to national circumstances, to achieve progressively comprehensive social security protection for all fishers who are ordinarily resident in its territory.
Article 36

Members shall cooperate through bilateral or multilateral agreements or other arrangements, in accordance with national laws, regulations or practice:
(a) to achieve progressively comprehensive social security protection for fishers, taking into account the principle of equality of treatment irrespective of nationality; and
(b) to ensure the maintenance of social security rights which have been acquired or are in the course of acquisition by all fishers regardless of residence.

Article 37

Notwithstanding the attribution of responsibilities in Articles 34, 35 and 36, Members may determine, through bilateral and multilateral agreements and through provisions adopted in the framework of regional economic integration organizations, other rules concerning the social security legislation to which fishers are subject.

Protection in the case of work-related sickness, injury or death

Article 38

1. Each Member shall take measures to provide fishers with protection, in accordance with national laws, regulations or practice, for work-related sickness, injury or death.

2. In the event of injury due to occupational accident or disease, the fisher shall have access to:
(a) appropriate medical care; and
(b) the corresponding compensation in accordance with national laws and regulations.

3. Taking into account the characteristics within the fishing sector, the protection referred to in paragraph 1 of this Article may be ensured through:
(a) a system for fishing vessel owners' liability; or
(b) compulsory insurance, workers' compensation or other schemes.

Article 39

1. In the absence of national provisions for fishers, each Member shall adopt laws, regulations or other measures to ensure that fishing vessel owners are responsible for the provision to fishers on vessels flying its flag, of health protection and medical care while employed or engaged or working on a vessel at sea or in a foreign port. Such laws, regulations or other measures shall ensure that fishing vessel owners are responsible for defraying the expenses of medical care, including related material assistance and support, during medical treatment in a foreign country, until the fisher has been repatriated.

2. National laws or regulations may permit the exclusion of the liability of the fishing vessel owner if the injury occurred otherwise than in the service of the vessel or the sickness or infirmity was concealed during engagement, or the injury or sickness was due to wilful misconduct of the fisher.

Part VII. Compliance and Enforcement

Article 40

Each Member shall effectively exercise its jurisdiction and control over vessels that fly its flag by establishing a system for ensuring compliance with the requirements of this
Convention including, as appropriate, inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures, in accordance with national laws or regulations.

Article 41

1. Members shall require that fishing vessels remaining at sea for more than three days, which:
   (a) are 24 metres in length and over; or
   (b) normally navigate at a distance exceeding 200 nautical miles from the coastline of the flag State or navigate beyond the outer edge of its continental shelf, whichever distance from the coastline is greater,
carry a valid document issued by the competent authority stating that the vessel has been inspected by the competent authority or on its behalf, for compliance with the provisions of this Convention concerning living and working conditions.

2. The period of validity of such document may coincide with the period of validity of a national or an international fishing vessel safety certificate, but in no case shall such period of validity exceed five years.

Article 42

1. The competent authority shall appoint a sufficient number of qualified inspectors to fulfil its responsibilities under Article 41.

2. In establishing an effective system for the inspection of living and working conditions on board fishing vessels, a Member, where appropriate, may authorize public institutions or other organizations that it recognizes as competent and independent to carry out inspections and issue documents. In all cases, the Member shall remain fully responsible for the inspection and issuance of the related documents concerning the living and working conditions of the fishers on fishing vessels that fly its flag.

Article 43

1. A Member which receives a complaint or obtains evidence that a fishing vessel that flies its flag does not conform to the requirements of this Convention shall take the steps necessary to investigate the matter and ensure that action is taken to remedy any deficiencies found.

2. If a Member, in whose port a fishing vessel calls in the normal course of its business or for operational reasons, receives a complaint or obtains evidence that such vessel does not conform to the requirements of this Convention, it may prepare a report addressed to the government of the flag State of the vessel, with a copy to the Director-General of the International Labour Office, and may take measures necessary to rectify any conditions on board which are clearly hazardous to safety or health.

3. In taking the measures referred to in paragraph 2 of this Article, the Member shall notify forthwith the nearest representative of the flag State and, if possible, shall have such representative present. The Member shall not unreasonably detain or delay the vessel.

4. For the purpose of this Article, the complaint may be submitted by a fisher, a professional body, an association, a trade union or, generally, any person with an interest in the safety of the vessel, including an interest in safety or health hazards to the fishers on board.

5. This Article does not apply to complaints which a Member considers to be manifestly unfounded.
Article 44

Each Member shall apply this Convention in such a way as to ensure that the fishing vessels flying the flag of any State that has not ratified this Convention do not receive more favourable treatment than fishing vessels that fly the flag of any Member that has ratified it.

PART VIII. AMENDEMENT OF ANNEXES I, II AND III

Article 45

1. Subject to the relevant provisions of this Convention, the International Labour Conference may amend Annexes I, II and III. The Governing Body of the International Labour Office may place an item on the agenda of the Conference regarding proposals for such amendments established by a tripartite meeting of experts. The decision to adopt the proposals shall require a majority of two-thirds of the votes cast by the delegates present at the Conference, including at least half the Members that have ratified this Convention.

2. Any amendment adopted in accordance with paragraph 1 of this Article shall enter into force six months after the date of its adoption for any Member that has ratified this Convention, unless such Member has given written notice to the Director-General of the International Labour Office that it shall not enter into force for that Member, or shall only enter into force at a later date upon subsequent written notification.

PART IX. FINAL PROVISIONS

Article 46

This Convention revises the Minimum Age (Fishermen) Convention, 1959 (No. 112), the Medical Examination (Fishermen) Convention, 1959 (No. 113), the Fishermen’s Articles of Agreement Convention, 1959 (No. 114), and the Accommodation of Crews (Fishermen) Convention, 1966 (No. 126).

Article 47

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 48

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the ratifications of ten Members, eight of which are coastal States, have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification is registered.

Article 49

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 50

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications, declarations and denunciations that have been communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the last of the ratifications required to bring the Convention into force, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 51

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and denunciations registered by the Director-General.

Article 52

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part, taking into account also the provisions of Article 45.

Article 53

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:
   (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 49 above, if and when the new revising Convention shall have come into force;
   (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 54

The English and French versions of the text of this Convention are equally authoritative.

ANNEX I

EQUIVALENCE IN MEASUREMENT

For the purpose of this Convention, where the competent authority, after consultation, decides to use length overall (LOA) rather than length (L) as the basis of measurement:
(a) a length overall (LOA) of 16.5 metres shall be considered equivalent to a length (L) of 15 metres;
(b) a length overall (LOA) of 26.5 metres shall be considered equivalent to a length (L) of 24 metres;
(c) a length overall (LOA) of 50 metres shall be considered equivalent to a length (L) of 45 metres.

ANNEX II

FISHER’S WORK AGREEMENT

The fisher’s work agreement shall contain the following particulars, except in so far as the inclusion of one or more of them is rendered unnecessary by the fact that the matter is regulated in another manner by national laws or regulations, or a collective bargaining agreement where applicable:

(a) the fisher’s family name and other names, date of birth or age, and birthplace;
(b) the place at which and date on which the agreement was concluded;
(c) the name of the fishing vessel or vessels and the registration number of the vessel or vessels on board which the fisher undertakes to work;
(d) the name of the employer, or fishing vessel owner, or other party to the agreement with the fisher;
(e) the voyage or voyages to be undertaken, if this can be determined at the time of making the agreement;
(f) the capacity in which the fisher is to be employed or engaged;
(g) if possible, the place at which and date on which the fisher is required to report on board for service;
(h) the provisions to be supplied to the fisher, unless some alternative system is provided for by national law or regulation;
(i) the amount of wages, or the amount of the share and the method of calculating such share if remuneration is to be on a share basis, or the amount of the wage and share and the method of calculating the latter if remuneration is to be on a combined basis, and any agreed minimum wage;
(j) the termination of the agreement and the conditions thereof, namely:
   (i) if the agreement has been made for a definite period, the date fixed for its expiry;
   (ii) if the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the fisher shall be discharged;
   (iii) if the agreement has been made for an indefinite period, the conditions which shall entitle either party to rescind it, as well as the required period of notice for rescission, provided that such period shall not be less for the employer, or fishing vessel owner or other party to the agreement with the fisher;
(k) the protection that will cover the fisher in the event of sickness, injury or death in connection with service;
(l) the amount of paid annual leave or the formula used for calculating leave, where applicable;
(m) the health and social security coverage and benefits to be provided to the fisher by the employer, fishing vessel owner, or other party or parties to the fisher’s work agreement, as applicable;
(n) the fisher’s entitlement to repatriation;
(o) a reference to the collective bargaining agreement, where applicable;
(p) the minimum periods of rest, in accordance with national laws, regulations or other measures; and
(q) any other particulars which national law or regulation may require.

ANNEX III
FISHING VESSEL ACCOMMODATION

General provisions

1. For the purposes of this Annex:

(a) "new fishing vessel" means a vessel for which:
   (i) the building or major conversion contract has been placed on or after the date of the entry into force of the Convention for the Member concerned; or
   (ii) the building or major conversion contract has been placed before the date of the entry into force of the Convention for the Member concerned, and which is delivered three years or more after that date; or
   (iii) in the absence of a building contract, on or after the date of the entry into force of the Convention for the Member concerned:
      — the keel is laid, or
      — construction identifiable with a specific vessel begins, or
      — assembly has commenced comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is less;

(b) "existing vessel" means a vessel that is not a new fishing vessel.

2. The following shall apply to all new, decked fishing vessels, subject to any exclusions provided for in accordance with Article 3 of the Convention. The competent authority may, after consultation, also apply the requirements of this Annex to existing vessels, when and in so far as it determines that this is reasonable and practicable.

3. The competent authority, after consultation, may permit variations to the provisions of this Annex for fishing vessels normally remaining at sea for less than 24 hours where the fishers do not live on board the vessel in port. In the case of such vessels, the competent authority shall ensure that the fishers concerned have adequate facilities for resting, eating and sanitation purposes.

4. Any variations made by a Member under paragraph 3 of this Annex shall be reported to the International Labour Office under article 22 of the Constitution of the International Labour Organisation.

5. The requirements for vessels of 24 metres in length and over may be applied to vessels between 15 and 24 metres in length where the competent authority determines, after consultation, that this is reasonable and practicable.

6. Fishers working on board feeder vessels which do not have appropriate accommodation and sanitary facilities shall be provided with such accommodation and facilities on board the mother vessel.

7. Members may extend the requirements of this Annex regarding noise and vibration, ventilation, heating and air conditioning, and lighting to enclosed working spaces and spaces used for storage if, after consultation, such application is considered appropriate and will not have a negative influence on the function of the process or working conditions or the quality of the catches.
8. The use of gross tonnage as referred to in Article 5 of the Convention is limited to the following specified paragraphs of this Annex: 14, 37, 38, 41, 43, 46, 49, 53, 55, 61, 64, 65 and 67. For these purposes, where the competent authority, after consultation, decides to use gross tonnage (gt) as the basis of measurement:

(a) a gross tonnage of 75 gt shall be considered equivalent to a length (L) of 15 metres or a length overall (LOA) of 16.5 metres;
(b) a gross tonnage of 300 gt shall be considered equivalent to a length (L) of 24 metres or a length overall (LOA) of 26.5 metres;
(c) a gross tonnage of 950 gt shall be considered equivalent to a length (L) of 45 metres or a length overall (LOA) of 50 metres.

Planning and control

9. The competent authority shall satisfy itself that, on every occasion when a vessel is newly constructed or the crew accommodation of a vessel has been reconstructed, such vessel complies with the requirements of this Annex. The competent authority shall, to the extent practicable, require compliance with this Annex when the crew accommodation of a vessel is substantially altered and, for a vessel that changes the flag it flies to the flag of the Member, require compliance with those requirements of this Annex that are applicable in accordance with paragraph 2 of this Annex.

10. For the occasions noted in paragraph 9 of this Annex, for vessels of 24 metres in length and over, detailed plans and information concerning accommodation shall be required to be submitted for approval to the competent authority, or an entity authorized by it.

11. For vessels of 24 metres in length and over, on every occasion when the crew accommodation of the fishing vessel has been reconstructed or substantially altered, the competent authority shall inspect the accommodation for compliance with the requirements of the Convention, and when the vessel changes the flag it flies to the flag of the Member, for compliance with those requirements of this Annex that are applicable in accordance with paragraph 2 of this Annex. The competent authority may carry out additional inspections of crew accommodation at its discretion.

12. When a vessel changes flag, any alternative requirements which the competent authority of the Member whose flag the ship was formerly flying may have adopted in accordance with paragraphs 15, 39, 47 or 62 of this Annex cease to apply to the vessel.

Design and construction

Headroom

13. There shall be adequate headroom in all accommodation spaces. For spaces where fishers are expected to stand for prolonged periods, the minimum headroom shall be prescribed by the competent authority.

14. For vessels of 24 metres in length and over, the minimum permitted headroom in all accommodation where full and free movement is necessary shall not be less than 200 centimetres.

15. Notwithstanding the provisions of paragraph 14, the competent authority may, after consultation, decide that the minimum permitted headroom shall not be less than 190 centimetres in any space – or part of any space – in such accommodation, where it is satisfied that this is reasonable and will not result in discomfort to the fishers.

Openings into and between accommodation spaces

16. There shall be no direct openings into sleeping rooms from fish rooms and machinery spaces, except for the purpose of emergency escape. Where reasonable and practicable,
direct openings from galleys, storerooms, drying rooms or communal sanitary areas shall be avoided unless expressly provided otherwise.

17. For vessels of 24 metres in length and over, there shall be no direct openings, except for the purpose of emergency escape, into sleeping rooms from fish rooms and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas; that part of the bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or another approved material and shall be watertight and gastight. This provision does not exclude the possibility of sanitary areas being shared between two cabins.

**Insulation**

18. Accommodation spaces shall be adequately insulated; the materials used to construct internal bulkheads, panelling and sheeting, and floors and joinings shall be suitable for the purpose and shall be conducive to ensuring a healthy environment. Sufficient drainage shall be provided in all accommodation spaces.

**Other**

19. All practicable measures shall be taken to protect fishing vessels' crew accommodation against flies and other insects, particularly when vessels are operating in mosquito-infested areas.

20. Emergency escapes from all crew accommodation spaces shall be provided as necessary.

**Noise and vibration**

21. The competent authority shall take measures to limit excessive noise and vibration in accommodation spaces and, as far as practicable, in accordance with relevant international standards.

22. For vessels of 24 metres in length and over, the competent authority shall adopt standards for noise and vibration in accommodation spaces which shall ensure adequate protection to fishers from the effects of such noise and vibration, including the effects of noise- and vibration-induced fatigue.

**Ventilation**

23. Accommodation spaces shall be ventilated, taking into account climatic conditions. The system of ventilation shall supply air in a satisfactory condition whenever fishers are on board.

24. Ventilation arrangements or other measures shall be such as to protect non-smokers from tobacco smoke.

25. Vessels of 24 metres in length and over shall be equipped with a system of ventilation for accommodation, which shall be controlled so as to maintain the air in a satisfactory condition and to ensure sufficiency of air movement in all weather conditions and climates. Ventilation systems shall be in operation at all times when fishers are on board.

**Heating and air conditioning**

26. Accommodation spaces shall be adequately heated, taking into account climatic conditions.
27. For vessels of 24 metres in length and over, adequate heat shall be provided, through an appropriate heating system, except in fishing vessels operating exclusively in tropical climates. The system of heating shall provide heat in all conditions, as necessary, and shall be in operation when fishers are living or working on board, and when conditions so require.

28. For vessels of 24 metres in length and over, with the exception of those regularly engaged in areas where temperate climatic conditions do not require it, air conditioning shall be provided in accommodation spaces, the bridge, the radio room and any centralized machinery control room.

Lighting

29. All accommodation spaces shall be provided with adequate light.

30. Wherever practicable, accommodation spaces shall be lit with natural light in addition to artificial light. Where sleeping spaces have natural light, a means of blocking the light shall be provided.

31. Adequate reading light shall be provided for every berth in addition to the normal lighting of the sleeping room.

32. Emergency lighting shall be provided in sleeping rooms.

33. Where a vessel is not fitted with emergency lighting in mess rooms, passageways, and any other spaces that are or may be used for emergency escape, permanent night lighting shall be provided in such spaces.

34. For vessels of 24 metres in length and over, lighting in accommodation spaces shall meet a standard established by the competent authority. In any part of the accommodation space available for free movement, the minimum standard for such lighting shall be such as to permit a person with normal vision to read an ordinary printed newspaper on a clear day.

Sleeping rooms

General

35. Where the design, dimensions or purpose of the vessel allow, the sleeping accommodation shall be located so as to minimize the effects of motion and acceleration but shall in no case be located forward of the collision bulkhead.

Floor area

36. The number of persons per sleeping room and the floor area per person, excluding space occupied by berths and lockers, shall be such as to provide adequate space and comfort for the fishers on board, taking into account the service of the vessel.

37. For vessels of 24 metres in length and over but which are less than 45 metres in length, the floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 1.5 square metres.

38. For vessels of 45 metres in length and over, the floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 2 square metres.

39. Notwithstanding the provisions of paragraphs 37 and 38, the competent authority may, after consultation, decide that the minimum permitted floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 1.0 and 1.5 square metres respectively, where the competent authority is satisfied that this is reasonable and will not result in discomfort to the fishers.
Persons per sleeping room

40. To the extent not expressly provided otherwise, the number of persons allowed to occupy each sleeping room shall not be more than six.

41. For vessels of 24 metres in length and over, the number of persons allowed to occupy each sleeping room shall not be more than four. The competent authority may permit exceptions to this requirement in particular cases if the size, type or intended service of the vessel makes the requirement unreasonable or impracticable.

42. To the extent not expressly provided otherwise, a separate sleeping room or sleeping rooms shall be provided for officers, wherever practicable.

43. For vessels of 24 metres in length and over, sleeping rooms for officers shall be for one person wherever possible and in no case shall the sleeping room contain more than two berths. The competent authority may permit exceptions to the requirements of this paragraph in particular cases if the size, type or intended service of the vessel makes the requirements unreasonable or impracticable.

Other

44. The maximum number of persons to be accommodated in any sleeping room shall be legibly and indelibly marked in a place in the room where it can be conveniently seen.

45. Individual berths of appropriate dimensions shall be provided. Mattresses shall be of a suitable material.

46. For vessels of 24 metres in length and over, the minimum inside dimensions of the berths shall not be less than 198 by 80 centimetres.

47. Notwithstanding the provisions of paragraph 46, the competent authority may, after consultation, decide that the minimum inside dimensions of the berths shall not be less than 190 by 70 centimetres, where it is satisfied that this is reasonable and will not result in discomfort to the fishers.

48. Sleeping rooms shall be so planned and equipped as to ensure reasonable comfort for the occupants and to facilitate tidiness. Equipment provided shall include berths, individual lockers sufficient for clothing and other personal effects, and a suitable writing surface.

49. For vessels of 24 metres in length and over, a desk suitable for writing, with a chair, shall be provided.

50. Sleeping accommodation shall be situated or equipped, as practicable, so as to provide appropriate levels of privacy for men and for women.

Mess rooms

51. Mess rooms shall be as close as possible to the galley, but in no case shall be located forward of the collision bulkhead.

52. Vessels shall be provided with mess-room accommodation suitable for their service. To the extent not expressly provided otherwise, mess-room accommodation shall be separate from sleeping quarters, where practicable.

53. For vessels of 24 metres in length and over, mess-room accommodation shall be separate from sleeping quarters.

54. The dimensions and equipment of each mess room shall be sufficient for the number of persons likely to use it at any one time.

55. For vessels of 24 metres in length and over, a refrigerator of sufficient capacity and facilities for making hot and cold drinks shall be available and accessible to fishers at all times.
Tubs or showers, toilets and washbasins

56. Sanitary facilities, which include toilets, washbasins, and tubs or showers, shall be provided for all persons on board, as appropriate for the service of the vessel. These facilities shall meet at least minimum standards of health and hygiene and reasonable standards of quality.

57. The sanitary accommodation shall be such as to eliminate contamination of other spaces as far as practicable. The sanitary facilities shall allow for reasonable privacy.

58. Cold fresh water and hot fresh water shall be available to all fishers and other persons on board, in sufficient quantities to allow for proper hygiene. The competent authority may establish, after consultation, the minimum amount of water to be provided.

59. Where sanitary facilities are provided, they shall be fitted with ventilation to the open air, independent of any other part of the accommodation.

60. All surfaces in sanitary accommodation shall be such as to facilitate easy and effective cleaning. Floors shall have a non-slip deck covering.

61. On vessels of 24 metres in length and over, for all fishers who do not occupy rooms to which sanitary facilities are attached, there shall be provided at least one tub or shower or both, one toilet, and one washbasin for every four persons or fewer.

62. Notwithstanding the provisions of paragraph 61, the competent authority may, after consultation, decide that there shall be provided at least one tub or shower or both and one washbasin for every six persons or fewer, and at least one toilet for every eight persons or fewer, where the competent authority is satisfied that this is reasonable and will not result in discomfort to the fishers.

Laundry facilities

63. Amenities for washing and drying clothes shall be provided as necessary, taking into account the service of the vessel, to the extent not expressly provided otherwise.

64. For vessels of 24 metres in length and over, adequate facilities for washing, drying and ironing clothes shall be provided.

65. For vessels of 45 metres in length and over, adequate facilities for washing, drying and ironing clothes shall be provided in a compartment separate from sleeping rooms, mess rooms and toilets, and shall be adequately ventilated, heated and equipped with lines or other means for drying clothes.

Facilities for sick and injured fishers

66. Whenever necessary, a cabin shall be made available for a fisher who suffers illness or injury.

67. For vessels of 45 metres in length and over, there shall be a separate sick bay. The space shall be properly equipped and shall be maintained in a hygienic state.

Other facilities

68. A place for hanging foul-weather gear and other personal protective equipment shall be provided outside of, but convenient to, sleeping rooms.

Bedding, mess utensils and miscellaneous provisions

69. Appropriate eating utensils, and bedding and other linen shall be provided to all fishers on board. However, the cost of the linen can be recovered as an operational cost if the collective agreement or the fisher’s work agreement so provides.
Recreational facilities

70. For vessels of 24 metres in length and over, appropriate recreational facilities, amenities and services shall be provided for all fishers on board. Where appropriate, mess rooms may be used for recreational activities.

Communication facilities

71. All fishers on board shall be given reasonable access to communication facilities, to the extent practicable, at a reasonable cost and not exceeding the full cost to the fishing vessel owner.

Galley and food storage facilities

72. Cooking equipment shall be provided on board. To the extent not expressly provided otherwise, this equipment shall be fitted, where practicable, in a separate galley.

73. The galley, or cooking area where a separate galley is not provided, shall be of adequate size for the purpose, well lit and ventilated, and properly equipped and maintained.

74. For vessels of 24 metres in length and over, there shall be a separate galley.

75. The containers of butane or propane gas used for cooking purposes in a galley shall be kept on the open deck and in a shelter which is designed to protect them from external heat sources and external impact.

76. A suitable place for provisions of adequate capacity shall be provided which can be kept dry, cool and well ventilated in order to avoid deterioration of the stores and, to the extent not expressly provided otherwise, refrigerators or other low-temperature storage shall be used, where possible.

77. For vessels of 24 metres in length and over, a provisions storeroom and refrigerator and other low-temperature storage shall be used.

Food and potable water

78. Food and potable water shall be sufficient, having regard to the number of fishers, and the duration and nature of the voyage. In addition, they shall be suitable in respect of nutritional value, quality, quantity and variety, having regard as well to the fishers’ religious requirements and cultural practices in relation to food.

79. The competent authority may establish requirements for the minimum standards and quantity of food and water to be carried on board.

Clean and habitable conditions

80. Accommodation shall be maintained in a clean and habitable condition and shall be kept free of goods and stores which are not the personal property of the occupants or for their safety or rescue.

81. Galley and food storage facilities shall be maintained in a hygienic condition.

82. Waste shall be kept in closed, well-sealed containers and removed from food-handling areas whenever necessary.

Inspections by the skipper or under the authority of the skipper

83. For vessels of 24 metres in length and over, the competent authority shall require frequent inspections to be carried out, by or under the authority of the skipper, to ensure that:
(a) accommodation is clean, decently habitable and safe, and is maintained in a good state of repair;
(b) food and water supplies are sufficient; and
(c) galley and food storage spaces and equipment are hygienic and in a proper state of repair.

The results of such inspections, and the actions taken to address any deficiencies found, shall be recorded and available for review.

Variations

84. The competent authority, after consultation, may permit derogations from the provisions in this Annex to take into account, without discrimination, the interests of fishers having differing and distinctive religious and social practices, on condition that such derogations do not result in overall conditions less favourable than those which would result from the application of this Annex.

RECOMMENDATION

Recommendation 199

Recommendation concerning work in the fishing sector, 2007¹

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its ninety-sixth Session on 30 May 2007, and

Noting the Vocational Training (Fishermen) Recommendation, 1966 (No. 126), and

Taking into account the need to supersede the Work in Fishing Recommendation, 2005 (No. 196), which revised the Hours of Work (Fishing) Recommendation, 1920 (No. 7), and

Having decided upon the adoption of certain proposals with regard to work in the fishing sector, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Work in Fishing Convention, 2007 (hereinafter referred to as “the Convention”) and superseding the Work in Fishing Recommendation, 2005 (No. 196);

adopts this fourteenth day of June of the year two thousand and seven the following Recommendation, which may be cited as the Work in Fishing Recommendation, 2007.

PART I. CONDITIONS FOR WORK ON BOARD FISHING VESSELS

Protection of young persons

1. Members should establish the requirements for the pre-sea training of persons between the ages of 16 and 18 working on board fishing vessels, taking into account international instruments concerning training for work on board fishing vessels, including

¹ Adopted by the International Labour Conference on 14 June 2007, by 443 votes in favour, and no votes against. There were 19 abstentions.
occupational safety and health issues such as night work, hazardous tasks, work with dangerous machinery, manual handling and transport of heavy loads, work in high latitudes, work for excessive periods of time and other relevant issues identified after an assessment of the risks concerned.

2. The training of persons between the ages of 16 and 18 might be provided through participation in an apprenticeship or approved training programme, which should operate under established rules and be monitored by the competent authority, and should not interfere with the person's general education.

3. Members should take measures to ensure that the safety, lifesaving and survival equipment carried on board fishing vessels carrying persons under the age of 18 is appropriate for the size of such persons.

4. The working hours of fishers under the age of 18 should not exceed eight hours per day and 40 hours per week, and they should not work overtime except where unavoidable for safety reasons.

5. Fishers under the age of 18 should be assured sufficient time for all meals and a break of at least one hour for the main meal of the day.

**Medical examination**

6. When prescribing the nature of the examination, Members should pay due regard to the age of the person to be examined and the nature of the duties to be performed.

7. The medical certificate should be signed by a medical practitioner approved by the competent authority.

8. Arrangements should be made to enable a person who, after examination, is determined to be unfit for work on board fishing vessels or certain types of fishing vessels, or for certain types of work on board, to apply for a further examination by a medical referee or referees who should be independent of any fishing vessel owner or of any organization of fishing vessel owners or fishers.

9. The competent authority should take into account international guidance on medical examination and certification of persons working at sea, such as the (ILO/WHO) Guidelines for Conducting Pre-Sea and Periodic Medical Fitness Examinations for Seafarers.

10. For fishers exempted from the application of the provisions concerning medical examination in the Convention, the competent authority should take adequate measures to provide health surveillance for the purpose of occupational safety and health.

**Competency and training**

11. Members should:

(a) take into account generally accepted international standards concerning training and competencies of fishers in determining the competencies required for skippers, mates, engineers and other persons working on board fishing vessels;

(b) address the following issues, with regard to the vocational training of fishers: national planning and administration, including coordination; financing and training standards; training programmes, including pre-vocational training and also short courses for working fishers; methods of training; and international cooperation; and

(c) ensure that there is no discrimination with regard to access to training.
PART II. CONDITIONS OF SERVICE

Record of service

12. At the end of each contract, a record of service in regard to that contract should be made available to the fisher concerned, or entered in the fisher's service book.

Special measures

13. For fishers excluded from the scope of the Convention, the competent authority should take measures to provide them with adequate protection with respect to their conditions of work and means of dispute settlement.

Payment of fishers

14. Fishers should have the right to advances against earnings under prescribed conditions.

15. For vessels of 24 metres in length and over, all fishers should be entitled to minimum payment in accordance with national laws, regulations or collective agreements.

PART III. ACCOMMODATION

16. When establishing requirements or guidance, the competent authority should take into account relevant international guidance on accommodation, food, and health and hygiene relating to persons working or living on board vessels, including the most recent editions of the (FAO/ILO/IMO) Code of Safety for Fishermen and Fishing Vessels and the (FAO/ILO/IMO) Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels.

17. The competent authority should work with relevant organizations and agencies to develop and disseminate educational material and on-board information and guidance concerning safe and healthy accommodation and food on board fishing vessels.

18. Inspections of crew accommodation required by the competent authority should be carried out together with initial or periodic surveys or inspections for other purposes.

Design and construction

19. Adequate insulation should be provided for exposed decks over crew accommodation spaces, external bulkheads of sleeping rooms and mess rooms, machinery casings and boundary bulkheads of galleys and other spaces in which heat is produced, and, as necessary, to prevent condensation or overheating in sleeping rooms, mess rooms, recreation rooms and passageways.

20. Protection should be provided from the heat effects of any steam or hot water service pipes. Main steam and exhaust pipes should not pass through crew accommodation or through passageways leading to crew accommodation. Where this cannot be avoided, pipes should be adequately insulated and encased.

21. Materials and furnishings used in accommodation spaces should be impervious to dampness, easy to keep clean and not likely to harbour vermin.

Noise and vibration

22. Noise levels for working and living spaces, which are established by the competent authority, should be in conformity with the guidelines of the International Labour Organization on exposure levels to ambient factors in the workplace and, where applicable,
the specific protection recommended by the International Maritime Organization, together with any subsequent amending and supplementary instruments for acceptable noise levels on board ships.

23. The competent authority, in conjunction with the competent international bodies and with representatives of organizations of fishing vessel owners and fishers and taking into account, as appropriate, relevant international standards, should review on an ongoing basis the problem of vibration on board fishing vessels with the objective of improving the protection of fishers, as far as practicable, from the adverse effects of vibration.

(1) Such review should cover the effect of exposure to excessive vibration on the health and comfort of fishers and the measures to be prescribed or recommended to reduce vibration on fishing vessels to protect fishers.

(2) Measures to reduce vibration, or its effects, to be considered should include:
(a) instruction of fishers in the dangers to their health of prolonged exposure to vibration;
(b) provision of approved personal protective equipment to fishers where necessary; and
(c) assessment of risks and reduction of exposure in sleeping rooms, mess rooms, recreational accommodation and catering facilities and other fishers’ accommodation by adopting measures in accordance with the guidance provided by the (ILO) Code of practice *Ambient factors in the workplace* and any subsequent revisions, taking into account the difference between exposure in the workplace and in the living space.

**Heating**

24. The heating system should be capable of maintaining the temperature in crew accommodation at a satisfactory level, as established by the competent authority, under normal conditions of weather and climate likely to be met with on service, and should be designed so as not to endanger the safety or health of the fishers or the safety of the vessel.

**Lighting**

25. Methods of lighting should not endanger the safety or health of the fishers or the safety of the vessel.

**Sleeping rooms**

26. Each berth should be fitted with a comfortable mattress with a cushioned bottom or a combined mattress, including a spring bottom, or a spring mattress. The cushioning material used should be made of approved material. Berths should not be placed side by side in such a way that access to one berth can be obtained only over another. The lower berth in a double tier should not be less than 0.3 metres above the floor, and the upper berth should be fitted with a dust-proof bottom and placed approximately midway between the bottom of the lower berth and the lower side of the deck head beams. Berths should not be arranged in tiers of more than two. In the case of berths placed along the vessel’s side, there should be only a single tier when a sidelight is situated above a berth.

27. Sleeping rooms should be fitted with curtains for the sidelights, as well as a mirror, small cabinets for toilet requisites, a book rack and a sufficient number of coat hooks.

28. As far as practicable, berthing of crew members should be so arranged that watches are separated and that no day worker shares a room with a watchkeeper.

29. On vessels of 24 metres in length and over, separate sleeping rooms for men and for women should be provided.
Sanitary accommodation

30. Sanitary accommodation spaces should have:
(a) floors of approved durable material which can be easily cleaned, and which are imper­
vious to dampness and properly drained;
(b) bulkheads of steel or other approved material which should be watertight up to at least
0.23 metres above the level of the deck;
(c) sufficient lighting, heating and ventilation; and
(d) soil pipes and waste pipes of adequate dimensions which are constructed so as to min­
imize the risk of obstruction and to facilitate cleaning; such pipes should not pass
through fresh water or drinking-water tanks, nor should they, if practicable, pass over­
head in mess rooms or sleeping accommodation.

31. Toilets should be of an approved type and provided with an ample flush of water,
available at all times and independently controllable. Where practicable, they should be
situated convenient to, but separate from, sleeping rooms and washrooms. Where there is
more than one toilet in a compartment, the toilets should be sufficiently screened to ensure
privacy.

32. Separate sanitary facilities should be provided for men and for women.

Recreational facilities

33. Where recreational facilities are required, furnishings should include, as a mini­
mum, a bookcase and facilities for reading, writing and, where practicable, games. Recre­
ational facilities and services should be reviewed frequently to ensure that they are
appropriate in the light of changes in the needs of fishers resulting from technical, oper­
ational and other developments. Consideration should also be given to including the
following facilities at no cost to the fishers, where practicable:
(a) a smoking room;
(b) television viewing and the reception of radio broadcasts;
(c) projection of films or video films, the stock of which should be adequate for the dur­
ation of the voyage and, where necessary, changed at reasonable intervals;
(d) sports equipment including exercise equipment, table games, and deck games;
(e) a library containing vocational and other books, the stock of which should be adequate
for the duration of the voyage and changed at reasonable intervals;
(f) facilities for recreational handicrafts; and
(g) electronic equipment such as radio, television, video recorder, CD/DVD player, per­
sonal computer and software, and cassette recorder/player.

Food

34. Fishers employed as cooks should be trained and qualified for their position on board.

PART IV. MEDICAL CARE, HEALTH PROTECTION
AND SOCIAL SECURITY

Medical care on board

35. The competent authority should establish a list of medical supplies and equipment
appropriate to the risks concerned that should be carried on fishing vessels; such list should
include women’s sanitary protection supplies together with discreet, environmentally
friendly disposal units.
36. Fishing vessels carrying 100 or more fishers should have a qualified medical doctor on board.

37. Fishers should receive training in basic first aid in accordance with national laws and regulations, taking into account applicable international instruments.

38. A standard medical report form should be specially designed to facilitate the confidential exchange of medical and related information concerning individual fishers between the fishing vessel and the shore in cases of illness or injury.

39. For vessels of 24 metres in length and over, in addition to the provisions of Article 32 of the Convention, the following elements should be taken into account:

(a) when prescribing the medical equipment and supplies to be carried on board, the competent authority should take into account international recommendations in this field, such as those contained in the most recent editions of the (ILO/IMO/WHO) International Medical Guide for Ships and the (WHO) Model List of Essential Medicines, as well as advances in medical knowledge and approved methods of treatment;

(b) inspections of medical equipment and supplies should take place at intervals of no more than 12 months; the inspector should ensure that expiry dates and conditions of storage of all medicines are checked, the contents of the medicine chest are listed and conform to the medical guide used nationally, and medical supplies are labelled with generic names in addition to any brand names used, and with expiry dates and conditions of storage;

(c) the medical guide should explain how the contents of the medical equipment and supplies are to be used, and should be designed to enable persons other than a medical doctor to care for the sick or injured on board, both with and without medical advice by radio or satellite communication; the guide should be prepared taking into account international recommendations in this field, including those contained in the most recent editions of the (ILO/IMO/WHO) International Medical Guide for Ships and the (IMO) Medical First Aid Guide for Use in Accidents Involving Dangerous Goods; and

(d) medical advice provided by radio or satellite communication should be available free of charge to all vessels irrespective of the flag they fly.

Occupational safety and health

40. In order to contribute to the continuous improvement of safety and health of fishers, Members should have in place policies and programmes for the prevention of accidents on board fishing vessels which should provide for the gathering and dissemination of occupational safety and health materials, research and analysis, taking into consideration technological progress and knowledge in the field of occupational safety and health as well as of relevant international instruments.

41. The competent authority should take measures to ensure regular consultations on safety and health matters with the aim of ensuring that all concerned are kept reasonably informed of national, international and other developments in the field and on their possible application to fishing vessels flying the flag of the Member.

42. When ensuring that fishing vessel owners, skippers, fishers and other relevant persons receive sufficient and suitable guidance, training material, or other appropriate information, the competent authority should take into account relevant international standards, codes, guidance and other information. In so doing, the competent authority should keep abreast of and utilize international research and guidance concerning safety and health in the fishing sector, including relevant research in occupational safety and health in general which may be applicable to work on board fishing vessels.
43. Information concerning particular hazards should be brought to the attention of all fishers and other persons on board through official notices containing instructions or guidance, or other appropriate means.

44. Joint committees on occupational safety and health should be established:
(a) ashore; or
(b) on fishing vessels, where determined by the competent authority, after consultation, to be practicable in light of the number of fishers on board the vessel.

Occupational safety and health management systems

45. When establishing methods and programmes concerning safety and health in the fishing sector, the competent authority should take into account any relevant international guidance concerning occupational safety and health management systems, including the Guidelines on occupational safety and health management systems, ILO-OSH 2001.

Risk evaluation

46. (1) Risk evaluation in relation to fishing should be conducted, as appropriate, with the participation of fishers or their representatives and should include:
(a) risk assessment and management;
(b) training, taking into consideration the relevant provisions of Chapter III of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F Convention) adopted by the IMO; and
(c) on-board instruction of fishers.
(2) To give effect to subparagraph (1)(a), Members, after consultation, should adopt laws, regulations or other measures requiring:
(a) the regular and active involvement of all fishers in improving safety and health by continually identifying hazards, assessing risks and taking action to address risks through safety management;
(b) an occupational safety and health management system that may include an occupational safety and health policy, provisions for fisher participation and provisions concerning organizing, planning, implementing and evaluating the system and taking action to improve the system; and
(c) a system for the purpose of assisting in the implementation of a safety and health policy and programme and providing fishers with a forum to influence safety and health matters; on-board prevention procedures should be designed so as to involve fishers in the identification of hazards and potential hazards and in the implementation of measures to reduce or eliminate such hazards.
(3) When developing the provisions referred to in subparagraph (1)(a), Members should take into account the relevant international instruments on risk assessment and management.

Technical specifications

47. Members should address the following, to the extent practicable and as appropriate to the conditions in the fishing sector:
(a) seaworthiness and stability of fishing vessels;
(b) radio communications;
(c) temperature, ventilation and lighting of working areas;
(d) mitigation of the slipperiness of deck surfaces;
(e) machinery safety, including guarding of machinery;
(f) vessel familiarization for fishers and fisheries observers new to the vessel;
(g) personal protective equipment;
(h) firefighting and lifesaving;
(i) loading and unloading of the vessel;
(j) lifting gear;
(k) anchoring and mooring equipment;
(l) safety and health in living quarters;
(m) noise and vibration in work areas;
(n) ergonomics, including in relation to the layout of workstations and manual lifting and handling;
(o) equipment and procedures for the catching, handling, storage and processing of fish and other marine resources;
(p) vessel design, construction and modification relevant to occupational safety and health;
(q) navigation and vessel handling;
(r) hazardous materials used on board the vessel;
(s) safe means of access to and exit from fishing vessels in port;
(t) special safety and health requirements for young persons;
(u) prevention of fatigue; and
(v) other issues related to safety and health.

48. When developing laws, regulations or other measures concerning technical standards relating to safety and health on board fishing vessels, the competent authority should take into account the most recent edition of the (FAO/ ILO/IMO) Code of Safety for Fishermen and Fishing Vessels, Part A.

Establishment of a list of occupational diseases

49. Members should establish a list of diseases known to arise out of exposure to dangerous substances or conditions in the fishing sector.

Social security

50. For the purpose of extending social security protection progressively to all fishers, Members should maintain up to date information on the following:
(a) the percentage of fishers covered;
(b) the range of contingencies covered; and
(c) the level of benefits.

51. Every person protected under Article 34 of the Convention should have a right of appeal in the case of a refusal of the benefit or of an adverse determination as to the quality or quantity of the benefit.

52. The protections referred to in Articles 38 and 39 of the Convention should be granted throughout the contingency covered.

PART V. OTHER PROVISIONS

53. The competent authority should develop an inspection policy for authorized officers to take the measures referred to in paragraph 2 of Article 43 of the Convention.
54. Members should cooperate with each other to the maximum extent possible in the adoption of internationally agreed guidelines on the policy referred to in paragraph 53 of this Recommendation.

55. A Member, in its capacity as a coastal State, when granting licences for fishing in its exclusive economic zone, may require that fishing vessels comply with the requirements of the Convention. If such licences are issued by coastal States, these States should take into account certificates or other valid documents stating that the vessel concerned has been inspected by the competent authority or on its behalf and has been found to be in compliance with the provisions of the Convention.

RESOLUTIONS

I

Resolution concerning the promotion of sustainable enterprises

The General Conference of the International Labour Organization, meeting at its 96th Session, 2007,

Having undertaken a general discussion on the basis of Report VI, The promotion of sustainable enterprises,

1. Adopts the following conclusions; and

2. Invites the Governing Body of the International Labour Office to give due consideration to them in planning future action on the promotion of sustainable enterprises centred on the Decent Work Agenda and to request the Director-General to take them into account both when implementing the Programme and Budget for the 2010-11 biennium and allocating such other resources as may be available during the 2008-09 biennium.

Conclusions concerning the promotion of sustainable enterprises

Introduction

1. There is a broad and wide-ranging international debate on the important role of the private sector and sustainable enterprises in social and economic development, including employment creation and decent work and environmental protection. Therefore, the Governing Body of the International Labour Office decided to include the item of the promotion of sustainable enterprises on the agenda of the 96th Session of the International Labour Conference as a means to achieve decent work within the wider framework of sustainable development.

2. At the Johannesburg World Summit in 2002, a commitment was made to promote the integration of the three components of sustainable development – social and economic development and environmental protection – as interdependent and mutually reinforcing pillars. Poverty eradication, changing unsustainable patterns of production and consumption, and protecting and managing the natural resource base of economic and social development are overarching objectives of, and essential requirements for, sustainable development. The international system, including the ILO, has not yet built strong synergies between social, environmental and economic sustainability. As a result, little progress has been made in terms of policy convergence and practical results.

1 Adopted on 13 June 2007.
3. Wealth creation depends on the productive interactions of all parts of society. Sustainable enterprises are a principal source of growth, wealth creation, employment and decent work. The promotion of sustainable enterprises is, therefore, a major tool for achieving decent work, sustainable development and innovation that improves standards of living and social conditions over time. Governments and the social partners need to cooperate to promote the integration of the three components of sustainable development – economic, social and environmental – as interdependent and mutually reinforcing pillars. The ILO is uniquely placed to contribute to sustainable development through the promotion of decent work because it is in workplaces that the social, economic and environmental dimensions come together inseparably.

4. In addressing the challenges of sustainable enterprise promotion, it is important to recall instruments which guide the ILO’s wider Decent Work Agenda. The ILO Constitution, including the Declaration of Philadelphia, as well as the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, emphasize that economic and social policies are essential and mutually reinforcing components in order to create broad-based sustainable development and promote social justice. The ILO’s Global Employment Agenda adopted by the ILO’s Governing Body provides a set of policies, including enterprise development policies, aimed at achieving full and productive employment and decent work for all.

5. Promoting sustainable enterprises is about strengthening the rule of law, the institutions and governance systems which nurture enterprises, and encouraging them to operate in a sustainable manner. Central to this is an enabling environment which encourages investment, entrepreneurship, workers’ rights and the creation, growth and maintenance of sustainable enterprises by balancing the needs and interests of enterprise with the aspiration of society for a path of development that respects the values and principles of decent work, human dignity and environmental sustainability.

6. Promoting sustainable enterprises is also about ensuring that human, financial and natural resources are combined equitably in order to achieve sustainable innovation, enhanced productivity and other development needs of the enterprise, the benefits of which will be shared equitably within the enterprise and the wider society. This calls for new forms of cooperation between government, business, workers and society to ensure that the quality of present and future life and employment is maximized, while safeguarding the sustainability of the planet. Tripartism, including social dialogue and collective bargaining, is a vital element in this regard.

7. Sustainable enterprises need sustainable societies: business tends to thrive where societies thrive and vice versa. This requires social and economic inclusiveness, as well as equity in the distribution and access to resources. Women’s economic empowerment is crucial for sustainable societies. It requires equal access to entrepreneurship opportunities, financial services and labour markets. Fostering social and economic opportunities for disadvantaged groups is particularly important, including the need to support youth. Sustainability also entails confidence in public policies and regulatory frameworks to deliver on the promise of prosperous, stable and equitable societies.

8. Enterprises need to be viable in order to be sustainable, but this does not deny the fact that in vibrant, dynamic economies some enterprises will inevitably contract or fail and there is an ongoing process of entry and exit. The principles and values of decent work provide as much guidance in the case of enterprises which contract or fail as they do in those which succeed and grow. In this regard, active labour market policies and social protection are very important for managing efficient and socially just transitions that take into account national circumstances.

9. The goals of the Decent Work Agenda are universally applicable. However, there is no one-size-fits-all solution to the design and implementation of policies to promote
sustainable enterprises. Policies need to recognize diversity of country situations in line with the level of development, resources and institutional capacity of countries without undermining the importance of labour and environmental standards. Similarly, the diversity in size and types of enterprises and their place in the value chain requires a range of differentiated interventions, while recognizing that small and medium-sized enterprises (SMEs) are one of the main instruments of job creation. The promotion of sustainable enterprises also needs to place particular emphasis on supporting the transition of informal economy operators to the formal economy and ensuring that laws and regulations cover all enterprises and workers.

An environment conducive to sustainable enterprises

10. An environment conducive to the creation and growth or transformation of enterprises on a sustainable basis combines the legitimate quest for profit – one of the key drivers of economic growth – with the need for development that respects human dignity, environmental sustainability and decent work.

11. The enabling environment for sustainable enterprise development comprises a large array of factors, the relative importance of which may vary at different stages of development and in different cultural and socio-economic contexts. However, there are some basic conditions that are generally considered to be essential. These interconnected and mutually reinforcing conditions are the following:

(1) Peace and political stability. Peace and political stability are basic preconditions to nurture the formation and growth of sustainable enterprises while war and civil conflict are major deterrents of investment and private sector development.

(2) Good governance. Democratic political institutions, transparent and accountable public and private entities, effective anti-corruption measures and responsible corporate governance, are key conditions for making market economies and enterprises perform in superior ways and be more responsive to the values and long-term goals of society.

(3) Social dialogue. Social dialogue based on freedom of association and the right to collective bargaining, including through institutional and regulatory frameworks, is essential for achieving effective, equitable and mutually beneficial outcomes for governments, employers, workers and wider society.

(4) Respect for universal human rights and international labour standards. Competitiveness should be built on values. Respect for human rights and international labour standards, especially freedom of association and collective bargaining, the abolition of child labour, forced labour and all forms of discrimination, is a distinctive feature of societies that have successfully integrated sustainability and decent work.

(5) Entrepreneurial culture. Governmental and societal recognition of the key role of enterprises in development and strong support, both public and private, to entrepreneurship, innovation, creativity and the concept of mentorship, particularly for start-ups, small enterprises and targeted groups such as women and youth, are important determinants of a conducive business environment. Respect for workers' rights should be embedded in programmes targeting entrepreneurial culture.

(6) Sound and stable macroeconomic policy and good management of the economy. Monetary, fiscal and exchange rate policies should guarantee stable and predictable economic conditions. Sound economic management should balance the twin objectives of creating more and better jobs with combating inflation and provide for policies and regulations that stimulate long-term productive investment. Attention should also be given to increasing aggregate demand as a source of economic growth contingent on national conditions. In the case of developing and least developed countries, achieving sound macroeconomic conditions usually requires the decisive support of the international community through debt relief and official development assistance.
(7) Trade and sustainable economic integration. The varying development levels of countries must be taken into account in lifting barriers to domestic and foreign markets. Efficiency gains caused by trade integration can lead to positive employment effects either in terms of quantity or quality of jobs or a combination of both. However, as trade integration can also lead to job dislocation, increased informality and growing income inequality, measures must be taken by governments in consultation with the social partners, to better assess and address the employment and decent work impact of trade policies. Actions are also needed at regional and multilateral levels to remove trade distortions and to assist developing countries in building their capacity to export value-added products, manage change and develop a competitive industrial base.

(8) Enabling legal and regulatory environment. Poorly designed regulations and unnecessary bureaucratic burdens on businesses limit enterprise start-ups and the ongoing operations of existing companies, and lead to informality, corruption and efficiency costs. Well-designed transparent, accountable and well-communicated regulations, including those that uphold labour and environmental standards, are good for markets and society. They facilitate formalization and boost systemic competitiveness. Regulatory reform and the removal of business constraints should not undermine such standards.

(9) Rule of law and secure property rights. A formal and effective legal system which guarantees all citizens and enterprises that contracts are honoured and upheld, the rule of law is respected and property rights are secure, is a key condition not only for attracting investment, but also for generating certainty, and nurturing trust and fairness in society. Property is more than simply ownership. Extending property rights can be a tool for empowerment and can facilitate access to credit and capital. They also entail the obligation to comply with the rules and regulations established by society.

(10) Fair competition. It is necessary to establish, for the private sector, competition rules that include universal respect for labour and social standards, and to eliminate anti-competitive practices at national level.

(11) Access to financial services. A well-functioning financial system provides the lubricant for a growing and dynamic private sector. Making it easier for SMEs, including cooperatives and start-ups, to access financing, for example, credit, leasing, venture capital funds or similar or new types of instruments, creates appropriate conditions for a more inclusive process of enterprise development. Financial institutions, particularly multilateral and international ones, should be encouraged to include decent work in their lending practices.

(12) Physical infrastructure. Enterprise sustainability and human development critically depend on the quality and quantity of the physical infrastructure available, such as physical facilities for enterprises, transportation systems, schools and hospitals. Reliable and affordable access to water and energy also remains a major challenge, especially in developing countries. Enterprises are also particularly assisted by local access to supporting industries such as service providers, and machinery suppliers and producers.

(13) Information and communication technologies. Expanding access to information and communication technologies (ICTs) is another crucial challenge in the era of the knowledge economy. The use of ICTs is, therefore, fundamental to the development of sustainable enterprises and must be fully utilized in this regard. Affordable broadband technology is also of extreme importance to countries and enterprises and should be facilitated.

(14) Education, training and lifelong learning. Human talent is the single most important productive factor in today's economy. Focusing on the development of a skilled workforce and the expansion of human capabilities through high-quality systems of
education, training and lifelong learning is important for helping workers to find good jobs and enterprises to find the skilled workers they need. Financial support should also be made available to enhance access of poor workers to training and skills upgrading. In this way, society can achieve the twin goals of economic success and social progress.

(15) **Social justice and social inclusion.** Inequality and discrimination are incompatible with sustainable enterprise development. Explicit policies for social justice, social inclusion and equality of opportunities for employment are needed. Effective exercise of the right to organize and bargain collectively is also an effective means to ensure fair distribution of productivity gains and adequate remuneration of workers.

(16) **Adequate social protection.** Sustainable tax-based or other national models of universal social security that provide citizens with access to key services such as quality health care, unemployment benefits, maternity protection and a basic pension, are key to improving productivity and fostering transitions to the formal economy. Protecting workers' health and safety at the workplace is also vital for sustainable enterprise development.

(17) **Responsible stewardship of the environment.** In the absence of appropriate regulations and incentives, markets can lead to undesirable environmental outcomes. Tax incentives and regulations, including public procurement procedures, should be used to promote consumption and production patterns that are compatible with the requirements of sustainable development. Private market-based solutions, such as the use of environmental criteria in assessing credit risk or investment performance, are also effective means to tackle this challenge.

**Responsible and sustainable enterprise-level practices**

12. At the enterprise level, sustainability means operating a business so as to grow and earn profit, and recognition of the economic and social aspirations of people inside and outside the organization on whom the enterprise depends, as well as the impact on the natural environment. Long-term viability implies that the management of enterprises should be based on the three pillars of sustainability: economic, social and environmental. This allows enterprises to create wealth and decent work.

13. Sustainable enterprises should innovate, adopt appropriate environmentally friendly technologies, develop skills and human resources, and enhance productivity to remain competitive in national and international markets. They should also apply workplace practices based on full respect for fundamental principles and rights at work and international labour standards, and foster good labour-management relations as important means of raising productivity and creating decent work. The following principles are applicable to all enterprises:

1. **Social dialogue and good industrial relations.** Sustainable enterprises engage in social dialogue and good industrial relations, such as collective bargaining and worker information, consultation and participation. These are effective instruments to create win-win situations, as they promote shared values, trust and cooperation, and socially responsible behaviour. Social dialogue includes examples at international level, such as the conclusion of International Framework Agreements between multinational enterprises and global union federations in different industrial sectors. Social dialogue supports the adoption of long-term and socially responsible investment strategies. It can contribute to higher productivity and innovation, health and safety in the workplace, as well as equity, fairness and the development of skills that meet the needs of enterprises and the need of workers for recognized and transferable skills.

2. **Human resource development.** Human resource development in sustainable enterprises should be based on social dialogue and workers' participation. Sustainable enterprises
view skilled workers as a major source of competitive advantage and view employees both as assets and agents for change. The development of relevant skills and competencies and their effective use ensure high productivity and competitiveness of enterprises. Enterprises need to identify and determine the skills they require, invest in training of workers and managers, promote a culture of lifelong learning and innovation, encourage workplace learning and facilitate knowledge sharing. Workers should make use of education, training and lifelong learning opportunities. The development of skills and competencies ensures employability of workers and their ability to adjust to changing technologies and work organization. Sustainable enterprises integrate human resource development into their business strategy that respects genuine employment relationships and gives equal treatment to men and women workers in developing their skills, competencies and productivity.

(3) **Conditions of work.** Sustainable enterprises offer conditions of work that provide a safe and motivating working environment and mutually beneficial flexible work organization. They adopt workplace practices that are free of discrimination, harassment and intimidation. They promote gender equality and equal opportunity and treatment of vulnerable groups. They apply workplace practices that maintain a sustainable balance between work, life and family, and recognize the role of women in sustainable development. Good workplaces are safe and healthy, and allow workers to contribute to changes and improvements. Sustainable enterprises also respect the relevant labour standards including minimum age for employment, reject the worst forms of child labour, reject forced labour and, where relevant, address tuberculosis, malaria, HIV/AIDS and other chronic and life-threatening diseases. In this context, the ILO code of practice *HIV/AIDS and the world of work* is a useful point of reference. They recognize that such practices improve productivity and strengthen the innovativeness and competitiveness of enterprises.

(4) **Productivity, wages and shared benefits.** Workers need to be able to participate in the success of enterprises and to gain a fair share in the benefits of economic activities and increased productivity. This helps to contribute to a more equitable distribution of income and wealth. Important vehicles for achieving this are through collective bargaining and social dialogue.

(5) **Corporate social responsibility (CSR).** Sustainable enterprises can use CSR to complement their pursuit of sustainable strategies and outcomes. CSR is a business-driven voluntary initiative and refers to activities that are considered to exceed compliance with the law. CSR cannot substitute for legal regulation, law enforcement and collective bargaining. However, where CSR is transparent and credible and based on genuine partnership, it can provide workers and other stakeholders with further opportunities to engage enterprises on the social and environmental impact of their activities. In this regard, ethical and fair trade initiatives help promote CSR in value chains. The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and the OECD Guidelines for Multinational Enterprises provide guidance on good corporate behaviour and citizenship.

(6) **Corporate governance and business practices.** Good corporate governance and business practices are based on values such as accountability, fairness and transparency, respect for the rule of law and for fundamental principles and rights at work. The principles of sustainable enterprises should be promoted along supply chains. Sustainable enterprises adopt responsible business practices and standards which take into account economic, social and environmental objectives, ensure appropriate management incentives, systems and responsibilities, and workplace consultation.

14. Sustainable enterprises should be firmly committed to abide by the laws that affect their operations and those governing their relationship with the rest of society. They contribute to society’s efforts to remove corruption and improve transparency.
Role of government

15. The role of governments in the promotion of sustainable enterprises is threefold:

(1) creating an enabling environment by ensuring the basic conditions for sustainable enterprise development listed earlier, including through the implementation and enforcement of labour and environmental standards;

(2) going beyond these basic conditions by proactively establishing programmes and policies to create incentives for enterprises to develop and behave in a responsible and sustainable way, for instance, through the dissemination of examples of best practice; and

(3) behaving as sustainable enterprises, both as employers and procurers of goods and services where applicable.

16. Government can act as regulator, facilitator and promoter of sustainable enterprises through a range of policies and practices, such as:

(1) Facilitating and participating in social dialogue. Social dialogue, freedom of association and the right to collective bargaining are relevant tools in the promotion of sustainable enterprises and should be expanded to cover all sectors of the economy.

(2) Labour law enforcement through efficient labour administration, including labour inspection systems. Well-designed labour legislation and policies are important to the development of sustainable enterprises. Governments should implement and enforce labour legislation through well-resourced systems of labour administration and labour inspection. Experience gained from implementation and enforcement of legislation should inform reviews. Special attention should be given to extending coverage of labour law to all workers, in particular to women and men in the informal economy or workers in disguised employment relationships.

(3) Encouraging the voluntary concept of corporate social responsibility (CSR). Governments should promote, facilitate and raise awareness of CSR, taking into account the specific needs of SMEs, and support efforts of the social partners to jointly address issues of CSR.

(4) Promotion of socially and environmentally responsible public procurement, lending and investment. Governments should promote social and environmental standards in public procurement and investment programmes and in lending policies, including at the bilateral and multilateral levels. They should strengthen and reinforce a culture of respect for workers' rights by setting a strong example, as well as promoting sound environmental practices.

(5) Promoting sectors and value chains. Governments often promote investment in specific sectors and engage in industrial policy initiatives which are important to increase the employment content of growth. These policies should fully incorporate social and environmental objectives, take into account the whole of the value chain and not hinder or stifle domestic investment initiatives, nor weaken workers' rights.

(6) Flexibility and protection to manage change. Sustainable enterprises and economies must develop the ability to adapt to rapidly changing conditions in the marketplace. In order to support enterprises and their workers to cope with such challenges, governments should develop a legal and institutional framework, including labour regulation, social protection, active labour market policies and efficient employment services which also support enterprises' capacity to adapt. Such policies should be developed in full consultation with the social partners.

(7) Targeted programmes. Governments should promote sustainable enterprise development programmes and encourage a culture of sustainable entrepreneurship within specific groups, such as women, youth and disadvantaged groups, and in specific sectors and areas.


(8) **Research and innovation.** Governments should facilitate investment in research and development to promote academic partnerships, technology transfer and innovation in sustainable enterprise development. Furthermore, all enterprises are assisted by good access to research institutions to assist them in growth through innovation.

(9) **Access to information, and business and financial services.** Governments should provide appropriate mechanisms and frameworks for compiling and disseminating relevant information and provide services for employers and workers, thereby reducing barriers to information. This should include information and services designed to aid understanding of regulations and procedures for enterprises and of workers' rights, and to facilitate access to credit and other financial services, particularly for micro-, small and medium-sized enterprises. Information should include examples of best practice in achieving decent work objectives.

(10) **Policy coordination and coherence.** There is a need for policy coherence and collaboration within government, as sustainable enterprises have needs which transcend line ministry boundaries. Good governance calls for effective intra-government coordination and collaboration.

(11) **International policies.** There is an important international dimension to the promotion of sustainable enterprises. This calls for the formulation of effective policies at the international level in the areas of trade, finance, debt relief, investment, labour migration, and the social and environmental dimensions of globalization, as well as in terms of the coherence between these policies.

(12) **Production and consumption patterns.** Governments have a role in implementing policies to encourage more sustainable forms of production and consumption.

(13) **Supporting skills development.** In a rapidly globalizing world, governments' increased investment in human capital, through non-discriminatory, high-quality education and training systems and lifelong learning is essential in order to facilitate entry and re-entry into the labour market for all groups, and to increase levels of productivity and quality of employment. Skills acquired should be recognized and respond to continuously changing and demanding needs of the labour market and contribute to personal development, access to culture and active citizenship. The involvement of the social partners is important. Vocational training also facilitates mobility of workers, which is important in light of new evolving structures of production and work. Reforming vocational education and training systems and, in this context, the development of school-to-work schemes, could function as a driving force for the cultivation of entrepreneurial culture. Governments should invest in and create the conditions to reduce illiteracy and to enhance education and training at all levels and continuously upgrading the education system.

**Role of social partners**

17. Employers, workers and their organizations have a vital role to play in supporting governments in the development and implementation of policies to promote sustainable enterprises, as outlined above. Tripartism, bipartism and effective social dialogue are fundamental to sustainable enterprise development. Social partners can play an effective role through:

(1) **Advocacy.** Recalling the mutually reinforcing relationship between decent work, sustainable development and the promotion of sustainable enterprises, social partners should participate in national processes to advocate and design appropriate policies and regulations in order to encourage sustainable enterprise development.

(2) **Representation.** Social partners have a vital role to play in reaching out to workers and owners of enterprises and in particular those of SMEs and the informal economy, and in general, increasing the representation of their membership to ensure deeper and
broader benefits of association, representation and leadership, including in the field of public policy advocacy, its formulation and implementation.

(3) Services. Social partners provide a variety of important services to their members that can have a significant impact on the formation and growth of sustainable enterprises including knowledge management, training, awareness-raising, advice and guidance on how to access public and private services, links to research and consultancy resources, and advice on innovative practices at the workplace. Furthermore, they have a role in providing information on good practice in collective bargaining and in sharing information about CSR.

(4) Implementation of policies and standards. Social partners have a fundamental role to play in giving effect to decent work, including in relation to the implementation of labour standards and policies on human resources development. For example, social partners have an important role to play in promoting occupational safety and health at the national as well as the enterprise level, including developing and implementing policies related to HIV/AIDS in the world of work.

Role of the ILO

18. The ILO’s work in promoting sustainable enterprises must be guided by its mandate, budget and comparative advantage, and be firmly grounded in its unique standard-setting role and in the Decent Work Agenda. In this respect, it should draw fully on its tripartite structure, its genuine connections to the actual world of work through representative organizations of employers and workers, an established culture of social dialogue and a normative framework as a standard-setting organization.

19. The ILO should promote the ratification and application of the international labour Conventions, and promote the application of the Recommendations, relevant to the promotion of sustainable enterprises (see annex).

20. The Office should work closely with ILO constituents on an ongoing basis to assess its current practice with reference to these conclusions including:
   (1) the centrality of the Decent Work Agenda to this practice;
   (2) the need to enhance the quality of programme delivery and outcomes;
   (3) the alignment of sustainable enterprise programmes to DWCPs to ensure that they address local priorities and conditions;
   (4) the field structure review which should provide the opportunity to enhance the delivery and quality of sustainable enterprise programmes; and
   (5) the importance of full participation of constituents in the ILO activities.
In its interventions, the ILO needs to focus on practical and demand-driven responses such as tools, methodologies and knowledge sharing that are of practical value to the social partners in their activities.

21. Creation of sustainable enterprise is a key element to achieving decent work outcomes. The ILO’s work on sustainable enterprise development is based on the Global Employment Agenda which, as the employment pillar of the Decent Work Agenda, provides guidance for the attainment of full and productive employment and decent work for all. In this respect, it must be coordinated with the three other strategic objectives: rights at work, social protection and social dialogue.

22. The goal of decent work is universal, but bearing in mind that policy and practice in the promotion of sustainable enterprises will vary between countries having different levels of development, the ILO has to provide situation-specific practical support and tools to governments and social partners. Training programmes need to be developed and delivered in collaboration with the International Training Centre of the ILO. The Centre should
focus its work in the area of enterprise promotion programmes on the key elements of sustainability and decent work.

23. The ILO should undertake research and policy development to promote employment and decent work and cooperate with relevant international organizations so that it brings to bear its expertise on the relationship between employment and macroeconomic and trade issues. The ILO should also support developing countries to develop and implement policies on industrial development to create sustainable enterprises.

24. The DWCPs are the main mechanism for ILO’s cooperation with constituents throughout the world. Each DWCP organizes ILO cooperation in a coherent framework that effectively enables a member State to make progress towards achieving decent work. The Office’s work on sustainable enterprise development should provide direct and relevant support to the strategies contained within DWCPs. This support needs to contribute to:

(1) **Strengthen capacity of governments and social partners to establish an enabling environment for sustainable enterprises.** The ILO needs to support governments to establish policies and regulations which contribute to an enabling environment for sustainable enterprise creation, which contributes to growth in the formal economy and ensures respect for workers’ rights and gender equality. In this regard, the ILO should support governments and social partners by:

   (a) developing information resources, tools and methodologies to support enterprises to make sustainable decisions based on an increased understanding of labour market and economic and social conditions, particularly in the developing world;

   (b) providing guidance on ways that policies and regulations can support improved working conditions, an enabling business environment for sustainable enterprises, the transition of informal economy operators to the formal economy and economic and social development;

   (c) providing guidance and technical assistance to member States to enable them to produce more accurate and reliable statistics to help them in evaluating the achievement of decent work through sustainable enterprise;

   (d) gathering and disseminating information on the relationship between policies responding to cross-cutting social issues, such as gender and the need to empower women, and the development of sustainable enterprises;

   (e) providing support to employers’ and workers’ organizations to promote workers’ rights, to close the representational gap and improve their capacity to analyse the dynamics of their business and labour environment so that they are able to advocate for the development of sustainable enterprises; and

   (f) providing technical assistance to support start-ups, micro- and small and medium-sized enterprises to become sustainable through, for example, networking, developing workers’ capabilities and competencies, and upgrading regional and global value chains and clusters.

(2) **Value-chain upgrading and clustering.** The ILO needs to support governments and social partners to develop and upgrade clusters/sectors that have the potential to create sustainable enterprises and decent work. Specifically, the ILO should undertake research and analysis to inform the identification of sectors with decent employment creation potential and the development of strategies to take advantage of these opportunities.

(3) **Local development strategies.** The ILO should provide support through research, training, knowledge sharing and technical cooperation projects to governments and social partners in the design and implementation of strategies at subnational levels that contribute to the creation of sustainable enterprises and decent work. Such strategies are particularly relevant in regions where major economic sectors and traditional industries
are under competitive and environmental pressures, and new opportunities for growth and employment creation are needed, as well as in post-crisis situations.

(4) **Application of responsible and sustainable workplace practices.** The ILO should support the documentation, dissemination and replication of good workplace practices at national, sectoral and enterprise levels and use its expertise to assist enterprises with unsustainable practices to achieve sustainability. Specific guidance should be provided to enterprises to promote responsible workplace practices along their supply chains, including through the use of the MNE Declaration. This would include the integration of the concept of decent work, the role of employers’ and workers’ organizations, the importance of workers’ rights and the business case for sustainable practices into broader enterprise development programmes. The ILO should contribute its expertise on fostering labour-management relations and partnerships for improved productivity and working conditions. Such programmes need to include trainers and materials designed for enterprise managers and representatives and workers to improve their engagement in social dialogue and collective bargaining, and ensure that entrepreneurs are introduced to the concept of decent work, the role of trade unions and the importance of respect for workers’ rights in the ILO’s enterprise start-up and training programmes.

(5) **Targeted programmes for specific and marginalized groups.** Particular attention needs to be given to micro-, small and medium-sized sustainable enterprise development, promotion of cooperatives, youth employability and employment, and entrepreneurship (including in-school curricula), women’s empowerment and entrepreneurship, and entrepreneurship programmes for disadvantaged groups. Specific attention is required regarding the informal economy. The ILO could provide guidance on the relationship between regulation and informality, working conditions and economic growth, and the development of programmes that support the transition of informal economy operators to the formal economy.

25. In undertaking the above work, it is important that the ILO leverage its comparative advantage to achieve greater success by forging partnerships to promote the Decent Work Agenda with other United Nations agencies and bodies (particularly in the context of UN reforms), including the World Health Organization and the United Nations Environment Programme, to ensure consistency and avoid duplication of effort. It should also work with the Bretton Woods institutions and other international and regional financial institutions, the Organisation for Economic Co-operation and Development, the World Trade Organization, academia and other relevant partners involved in the promotion of sustainable enterprises and decent work. It should work with international, multilateral and bilateral institutions in order to ensure sustainable procurement and lending practices that demonstrate an understanding and application of the principles contained in international labour standards and the MNE Declaration. Additionally, the ILO should consider working together with other agencies and bodies in the UN family and external organizations to develop modules on decent work, social and environmental issues, to be included in tool kits for business start-ups.

26. Due to increasing proliferation of different private standards of CSR, the ILO should promote further discussion with constituents on how to achieve a coherent approach.

27. Furthermore, within the parameters of the programme and budget, the Office should build its knowledge base on emerging issues (for example, through research in such areas as the link between sustainability, impact of climate change on enterprises and employment), facilitate the sharing of knowledge and practice across countries (through, for example, web sites and databases on such subjects as collective agreements and industrial relations and the enabling environment for sustainable enterprises) and strengthen its technical cooperation programmes.
Annex

Instruments of the International Labour Organization that relate to the promotion of sustainable enterprises including:

I. Conventions

Labour Inspection Convention, 1947 (No. 81)
Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
Workers' Representatives Convention, 1971 (No. 135)
Maternity Protection Convention, 2000 (No. 183)

II. Recommendations

Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
Promotion of Cooperatives Recommendation, 2002 (No. 193)
Human Resources Development Recommendation, 2004 (No. 195)
Employment Relationship Recommendation, 2006 (No. 198)

II

Resolution concerning strengthening
the ILO's capacity

The General Conference of the International Labour Organization, meeting in its 96th Session, 2007,

Having undertaken a general discussion on the basis of Report V, Strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization,

1. Adopts the following conclusions;

2. Invites the Governing Body, taking into consideration the report of the Committee on Strengthening the ILO's Capacity, to:
   (a) decide on placing an item on the agenda of the 97th Session of the Conference (2008), with a view to following up its discussion on strengthening the ILO's capacity, and the possible consideration of an authoritative document, possibly in the form of a Declaration or other suitable instrument, together with any appropriate follow-up, and the form they may take;
   (b) take the appropriate measures to implement a programme of work to address the concerns of constituents, as expressed in the Committee, with regard to improving the capacity of the Organization to meet the needs of the constituents in the context of globalization;
   (c) follow up on other relevant matters as provided in the following conclusions;

3. Requests the Director-General to:
   (a) make arrangements to facilitate the widest consultations among the constituents, including intersessional consultations, the results of which should be considered by the Governing Body in defining the relevant item, in a manner that will provide the best possible chance of obtaining a consensus at the Conference;

1 Adopted on 15 June 2007.
(b) prepare, and make available at least two months before the opening of the 97th Session of the Conference (2008), a report to include the elements of a draft text of any authoritative document for consideration, and which takes due account of the views expressed during this session of the Conference, and any subsequent consultations.

Conclusions on strengthening the ILO’s capacity

1. The Committee held a general discussion on the basis of Report V entitled Strengthening the ILO’s capacity to assist its Members’ efforts to reach its objectives in the context of globalization.

2. Without prejudice to the individual views expressed by Members, which are reflected in detail in its report, the Committee reached the following conclusions.

3. The Committee agreed that the renewed relevance in the context of intensifying globalization, of the ILO’s objectives as set out in the Constitution and the Declaration of Philadelphia, complemented by the 1998 Declaration on Fundamental Principles and Rights at Work and reflected in the Decent Work Agenda, should be recognized and reaffirmed. It also agreed that in a constantly changing context tripartite dialogue among governments, and the representative organizations of employers and workers, should be acknowledged as a crucial means for the effective achievement of the strategic objectives at the national, regional and international levels.

4. While the proposals contained in Report V do not cover exhaustively all aspects of the item on the agenda, the Committee recognized that the emphasis on three main aspects of governance was relevant to the achievement of the objective of strengthening the ILO’s capacity to assist its Members. It was understood that the organizational implications for the ILO and the Office’s capacity had to be taken into account, including by the Governing Body. ILO management processes, such as the field structure review, results-based management and review of the programming cycle, are also clearly relevant in this context. In no case should the proposed reforms weaken the ILO’s existing procedures, including those relating to standard setting and to the supervisory mechanisms.

5. First, as regards the possibility of introducing cyclical or other periodic reviews, it was generally acknowledged that these reviews could be a means of providing to constituents as well as to the general public a regularly updated review of trends and policies relating to the strategic objectives. Such reviews could also serve to strengthen the knowledge base and analytical capacity of the Office. Above all, tripartite discussion on an annual basis in the International Labour Conference, of further operational reports of this kind could help to develop a more direct link between the needs of the constituents, and facilitate the selection of priorities for future action, including standard setting. The review of these reports could allow for a systematic evaluation of the validity of such priorities and the impact of steps taken to implement them, based on feedback from constituents.

6. The possibility of carrying out these reports, their modalities and their review, as well as their link with general surveys under article 19 of the Constitution, should be the subject of a more detailed consideration in the Governing Body, to ensure that such a procedure, if adopted, would not overstretch the Office’s capacities, or add to the reporting responsibilities of member States. The Committee noted that it could considerably simplify the selection of items by the Governing Body for the Conference agenda.

7. Second, as regards the question of promoting a more integrated approach to the strategic objectives within the Organization, among its constituents and in the work of the Office, there was a general convergence of views that the adoption of such an integrated approach was a necessity on account of the interdependence and the complementary nature of these objectives. It would also be fully in line with the very concept of Decent Work and
consistent with the wide support the Decent Work Agenda had received within and outside the Organization.

8. Such an integrated approach would also play a key role in promoting coherence in the formulation of Decent Work Country Programmes (DWCPs), consistent with the particular needs and specificities of the countries concerned. The Governing Body may therefore wish to establish appropriate institutional arrangements to review the DWCPs, in order to achieve an appropriate balance, as well as at the national level, to achieve greater coherence among these programmes, to make them more effective and to have a greater link with and impact on programmes of other relevant United Nations (UN) and multilateral agencies. The experience gained through the DWCPs could also enrich cyclical or other periodic reviews.

9. Concrete examples of how an integrated approach can help in terms of social progress, sustainable development and the eradication of poverty will help to persuade all member States of the merits of such an approach. The Governing Body may therefore wish to examine how past and present experiences with regard to country studies could be used to build up a coherent framework for voluntary country studies, designed to promote the understanding of the interrelation between these objectives and the cross-fertilization of experiences and good practices. The possibility and modalities of a voluntary system of peer reviews and self-assessment should, if appropriate, be examined by the Governing Body.

10. The ILO must improve its knowledge, skills base, data-gathering and processing as well as analytical capacities in all areas, both at headquarters and in the regions. The ILO’s research and policy development should be of the highest quality and should be tested against impact consistent with its objectives and delivery of the Decent Work Agenda. By these means, the ILO will enhance its efforts to become a global centre of excellence. The tripartite structure of the ILO gives it a unique comparative advantage and credibility in drawing lessons from its research and the results of country studies.

11. Strong constituents lie at the heart of effective ILO action. The ILO should increase its support in building the capacity of its constituents to ensure their ongoing ability to engage in the ILO objectives and the Decent Work Agenda, realize these goals in the context of globalization and meet the needs of their constituents.

12. Reference was made to the fact that the Global Employment Agenda adopted by the Governing Body with full support provides important guidance to the constituents and the Office for implementing the Decent Work Agenda.

13. Third, as regards partnerships for Decent Work with the actors dealt with in Chapter 4 of Report V, there was agreement that while ILO objectives and methods were more relevant than ever, account had to be taken of both the new context of globalization as well as the existence of such actors with increasing influence on this subject. It was recalled that the United Nations Economic and Social Council (ECOSOC) Ministerial Declaration of July 2006 agreed that Decent Work should be a cross-cutting objective of the UN system and other multilateral institutions. It was considered essential that the ILO’s tripartite legitimacy should be used to promote greater awareness and understanding and to establish appropriate partnerships with these actors in support of the ILO’s efforts to strengthen member States’ institutional capacity to achieve the strategic objectives of Decent Work. The means by which such partnerships can be further developed and made more effective should be further explored by the Governing Body.

14. In the context of UN reform, and “Delivering as One”, it was agreed that Members and the ILO should seek to ensure that the reform process strengthens the ILO and its tripartite identity and practices at all levels, and that its tripartite character should define the selection and manner of implementing ILO operations and activities. This should also apply in partnerships within the UN system and in promoting an integrated approach to programme delivery.
15. There was a preliminary examination of whether the Organization should consider adopting an “authoritative document” reflecting the renewed commitment of its Members to the Organization’s objectives and tripartism, which could encourage them to pursue these objectives in an integrated manner consistent with the Decent Work Agenda, to which they have given their support.

16. It was agreed that the Governing Body should consider placing an item on the agenda of the next session of the International Labour Conference (2008) to allow the continuation and conclusion of the discussions held at this session of the Conference, and the possible consideration of an authoritative document, possibly in the form of a Declaration or other suitable instrument, together with any appropriate follow-up, and the form they might take.

17. For this purpose, appropriate arrangements should be made by the Office at the earliest opportunity to facilitate the widest consultations among the constituents, including intersessional consultations. This should allow the Governing Body to define the relevant item in a manner that will provide the best possible chance of obtaining a consensus on it at the Conference.

III

Resolution concerning promotion of the ratification of the Work in Fishing Convention, 2007

The General Conference of the International Labour Organization,
Having adopted the Work in Fishing Convention, 2007,
Noting that the success of the Convention will depend upon its being widely ratified, with the effective implementation of its requirements,
Mindful that the mandate of the Organization includes the promotion of decent work and living conditions;
Invites the Governing Body of the International Labour Office to request the Director-General to give due priority to conducting tripartite work to develop guidelines for flag State implementation and to develop guidelines to establish national action plans for progressive implementation of relevant provisions of the Convention,
Further invites the Governing Body to request the Director-General to give due consideration in the programme and budget for technical cooperation programmes to promote the ratification of the Convention and to assist members requesting assistance in its implementation in such areas as:
— technical assistance for Members, including capacity building for national administrations as well as representative organizations of fishing vessel owners and fishers, and the drafting of national legislation to meet the requirements of the Convention;
— the development of training materials for inspectors and other staff;
— the training of inspectors;
— the development of promotional materials and advocacy tools for the Convention;
— national and regional seminars, as well as workshops on the Convention; and
— promoting the ratification and implementation of the Convention within ILO Decent Work Country Programmes.

Adopted on 12 June 2007.
IV

Resolution concerning port State control

The General Conference of the International Labour Organization,
Having adopted the Work in Fishing Convention, 2007,
Considering that this Convention aims to establish a new pillar of international legisla­tion for the fishing industry,
Mindful of the mandate of the Organization to promote decent work and living conditions,
Noting that sustainable development consists of three pillars: social, economic and environmental,
Noting Articles 43 and 44 of the adopted Convention, which provide for port State responsibilities and control under the terms of "no more favourable treatment";
Noting that the uniform and harmonized implementation of port State responsibilities in accordance with the relevant provisions of the Convention will contribute to the successful implementation of the Convention,
Considering that, given the global nature of the fishing industry, it is important for port State control officers to receive proper guidelines for the performance of their duties,
Recognizing the work done by the International Maritime Organization (IMO) and the Food and Agriculture Organization of the United Nations (FAO) in this area, and the importance that the international community attaches to cooperation among international agencies;
Invites the Governing Body of the International Labour Office to convene a tripartite meeting of experts on the fishing sector to develop suitable guidance for port State control officers concerning the relevant provisions of the Work in Fishing Convention, 2007, and to request that the Office seek the technical expertise of the IMO and FAO and other relevant international bodies in this regard.

V

Resolution concerning tonnage measurement
and accommodation

The General Conference of the International Labour Organization,
Having adopted the Work in Fishing Convention, 2007,
Noting the difficulties caused by making an equivalence between the measurement of the size of vessels in terms of length and gross tonnage and the impact it has in the fishing industries,
Recognizing the impact the International Convention on Tonnage Measurement of Ships, 1969, has on the safe design of vessels, including their accommodation,
Recognizing also the importance of accommodation for the provision of decent work for fishers,
Recalling the resolution concerning tonnage measurement and the accommodation of crews adopted by the 29th Session of the Joint Maritime Commission, which was noted by the Governing Body of the International Labour Office at its 280th Session,
Aware that the International Maritime Organization (IMO) is considering the effects of the International Convention on Tonnage Measurement of Ships, 1969, on ship safety, accommodation, safety, health and welfare, and port charges;

Adopted on 12 June 2007.
Invites the Governing Body to request the Director-General to monitor these developments and to evaluate any amendment to or interpretation agreements of the International Convention on Tonnage Measurement of Ships, 1969, which may have an impact on the Work in Fishing Convention, 2007, especially on Annex III;

Invites the Governing Body to request the Director-General to report to it any developments which may have an impact on the Work in Fishing Convention, 2007, especially on Annex III;

Further invites the Governing Body to act on such a report by giving due priority, if required, to convening a tripartite meeting of experts, as provided for in Article 45 of the Work in Fishing Convention, 2007, to address the matter with a view to maintaining the relevance of Annex III of that Convention.

VI

Resolution concerning the promotion of welfare for fishers

The General Conference of the International Labour Organization,

Having adopted the Work in Fishing Convention, 2007,

Recognizing that the provision of adequate social protection and social security for all is a universally accepted development goal,

Acknowledging the specific nature of the fishing industry and the fact that fishers require special protection;

Invites the Governing Body of the International Labour Office to request the Director-General, in a cost-effective manner, to consider, as appropriate, the following social issues related to fisheries, as part of its programme and budget:

— promotion of the provision of effective social protection and social security to all fishers within the ongoing work of the Organization so as to secure effective social protection for all;

— the particular employment problems that are faced by women in the fishing industry, including discrimination and the barriers to access to employment in the industry;

— the causes of occupational diseases and injuries in the fishing sector;

— the need to encourage member States to strongly ensure that fishers on fishing vessels in their ports are able to have access to fishers' and seafarers' welfare facilities;

— the need to provide member States and social partners with advice on developing strategies to improve the retention of fishers and the recruitment and retention of new entrants in fisheries;

— the issues relating to migrant fishers; and

— the education of fishers and their families by working together with appropriate bodies for the prevention of HIV/AIDS among fishers and in fishing communities.

Adopted on 12 June 2007.
VII

Resolution concerning the assessment of contributions of new member States

The General Conference of the International Labour Organization,

Decides, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, that the contribution of Montenegro to the ILO budget for the period of its membership in the Organization in 2006 and 2007 be based on an annual assessment rate of 0.001 per cent and that, taking into account Montenegro’s period of membership, its assessments for 2006 and 2007 be deducted from the assessments of the former Serbia and Montenegro, applicable to those years.

The General Conference of the International Labour Organization,

Decides, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, that the contribution of Brunei Darussalam to the ILO budget for the period of its membership in the Organization in 2007 be based on an annual assessment rate of 0.026 per cent.

VIII

Resolution concerning the scale of assessments of contributions to the budget for the 2008-09 financial period

The General Conference of the International Labour Organization,

Decides, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to adopt the draft scale of assessments for 2008-09 as set out in column 3 of Appendix III to this document.

IX

Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,

(a) to express to Mr Michel Gentot its appreciation for the services he has rendered to the work of the Administrative Tribunal over the past 15 years as judge, Vice-President and President of the Tribunal;

(b) to renew the appointments of Mr Agustin Gordillo (Argentina) and Mr Claude Rouiller (Switzerland) for a term of three years;

(c) to appoint Mr Patrick Frydman (France) as judge of the Administrative Tribunal for a term of three years.

1 Adopted on 12 June 2007.
X

Resolution concerning the treatment of proceeds from transfer or sale of land

The General Conference of the International Labour Organization,

Decides, in derogation of article 11.1 of the Financial Regulations, to credit the net proceeds from any transfer or sale of land and of the leasehold in Geneva, Switzerland, to the Building and Accommodation Fund.

XI

Resolution concerning the adoption of the Programme and Budget for 2008-09 and the allocation of the budget of income among member States

The General Conference of the International Labour Organization,

In virtue of the Financial Regulations, adopts for the 71st financial period, ending 31 December 2009, the budget of expenditure of the International Labour Organization amounting to US$641,730,000 and the budget of income amounting to US$641,730,000, which, at the budget rate of exchange of 1.23 Swiss francs to the US dollar, amounts to 789,327,900 Swiss francs, and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

XII

Resolution concerning the extension of the validity of the Interim provisions concerning the verification of credentials

Whereas the International Labour Conference, at its 92nd Session (2004), adopted Interim provisions concerning the verification of credentials, to be effective from the 93rd Session (June 2005) to the 96th Session (June 2007) of the International Labour Conference, and

Whereas the Governing Body of the International Labour Office is to evaluate the system established by the Interim provisions following the end of the 96th Session (2007) of the International Labour Conference, with a view to reporting to the Conference at its 97th Session (2008), and

Whereas the Governing Body decided at its 298th Session (March 2007) to request the International Labour Conference to extend the period of validity of the Interim provisions until the end of the 97th (2008) Session of the Conference, in order to avoid a possible void in the application of these provisions prior to their review by the Conference,

The General Conference of the International Labour Organization, meeting in its 96th Session (Geneva, 30 May-15 June 2007),

Decides to extend the validity of the Interim provisions concerning the verification of credentials, adopted at the 92nd Session of the International Labour Conference, so that they will be applicable in the period between the end of the 96th Session (2007) and the end of 97th Session (2008) of the International Labour Conference.

1 Adopted on 12 June 2007.
2 Adopted on 8 June 2007.
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## CONTENTS

**Information**

- Official measures taken regarding decisions of the International Labour Conference:
  - Instrument for the Amendment of the Constitution of the International Labour Organisation, 1997 – Ratifications and acceptance ........................................... 118
  - International labour Conventions – Ratifications and denunciations ........................................... 119

**Documents**

- Memorandum of Understanding between the General Secretariat of the Organization of American States and the Director-General’s Office of the International Labour Organization regarding technical cooperation in the promotion of decent work .......................................................... 121
- Memorandum of Understanding between the General Secretariat of the Organization of American States and the International Labour Organization regarding technical cooperation in promoting a gender perspective in labour and employment policies .......................................................... 124
- Eleventh African Regional Meeting (Addis Ababa, 24-27 April 2007) – Conclusions and resolution adopted .......................................................... 127

**Office publications and documents**

To ensure that all regular readers of the *Official Bulletin* receive full and up to date information on Office publications and documents, the ILO publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.
300th Session of the Governing Body of the International Labour Office

(Geneva, 13-15 November 2007)

The 300th Session of the Governing Body of the International Labour Office was held from Tuesday, 13 to Thursday, 15 November 2007, under the chairmanship of Mr Dayan Jayatilleka, Ambassador, Permanent Representative of Sri Lanka to the United Nations Office in Geneva.

The agenda was as follows:

1. Approval of the minutes of the 299th Session of the Governing Body.¹


   — Follow-up to the Work in Fishing Convention and Recommendation and related Conference resolutions.

4. The United Nations and reform.²
   — Developments in the multilateral system.


¹ The Governing Body adopted the minutes as amended.

² The Governing Body took note of the report.
7. Enhanced programme of technical cooperation for the occupied Arab territories.  
9. Measures taken by the Government of Belarus to implement the recommendations of the Commission of Inquiry established to examine the observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).  
12. Reports of the Programme, Financial and Administrative Committee.  

Supplementary reports:  
— Arrangements for the Eighth European Regional Meeting.  
— Appointment of a Regional Director.  
— Report of the committee set up to examine the representation alleging non-observance by France of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Termination of Employment Convention, 1982 (No. 158), made under article 24 of the ILO Constitution by the Confédération générale du travail — Force ouvrière.  

— Representation alleging non-observance by Japan of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), made under article 24 of the ILO Constitution by the National Union of Welfare and Childcare Workers.  
— Representation alleging non-observance by the Russian Federation of the Recruitment and Placement of Seafarers Convention, 1966 (No. 179), made by the Federation of Maritime Transport Trade Unions (FPRMT), under article 24 of the ILO Constitution.  

22. Composition and agenda of standing bodies and meetings.  
— Committee of Experts on the Application of Conventions and Recommendations.  
— ILO Declaration Expert-Advisers.  
— 18th International Conference of Labour Statisticians (Geneva, 24 November-5 December 2008) Information documents  
— Programme of meetings for the remainder of 2007 and for 2008-09.  
— Approved symposia, seminars, workshops and similar meetings.  

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1 The Governing Body took note of the report.  
2 The Governing Body took note of the report.  
3 The Governing Body took note of the report presented orally by the Chairperson of the Working Party.  
4 The Governing Body had before it document GB.300/Inf.2, which contained proposed symposia, seminars, workshops and similar meetings approved by its Officers.
— Requests from international non-governmental organizations wishing to be represented at the 97th Session (2008) of the International Labour Conference.

The following is an account of the action taken by the Governing Body on the above agenda.¹

¹ For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings.
AGENDA OF THE INTERNATIONAL LABOUR CONFERENCE

Agenda of the 97th Session (2008) of the International Labour Conference

The Governing Body decided to:

(a) Place on the agenda of the 97th Session (2008) of the International Labour Conference the following item:

"Strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization: Continuation of the discussion held by the Conference at its 96th Session (2007) and possible consideration of an authoritative document, which could take the form of a Declaration or any other suitable instrument, together with any appropriate follow-up, and of the form they might take."

(b) Request the Director-General to report to its March 2008 session on relevant developments for the preparation of the Conference discussion.

The Governing Body confirmed the programme of work presented orally by the Office and accepted the principle that a steering group should be established by the Governing Body, the exact composition of which should be determined and communicated to the Officers of the Governing Body during the round of consultations planned for February 2008, and which would be able to begin its work at the next session of the Governing Body.

Proposals for the agenda of the 99th Session (2010) of the International Labour Conference

The Governing Body decided:

(a) that the following proposals would be examined in greater depth, if possible for decision, at its 301st Session (March 2008): (i) Decent work in global supply chains (general discussion); (ii) Social finance: Microfinance for decent work (general discussion); (iii) The right to information and consultation in the framework of economic restructuring (general discussion); (iv) Decent work for domestic workers (standard setting).

(b) that research work and consultation should be accelerated for future Conferences on the following items: i) Protection of children and young workers; (ii) Working time; iii) Occupational safety and health; (iv) Export processing zones; v) New trends in the prevention and resolution of industrial disputes.

(c) to request the Office to develop new proposals, taking into account the suggestions made during the discussion.

Matters arising out of the work of the 96th Session (2007) of the International Labour Conference

Follow-up to the adoption of the Work in Fishing Convention and Recommendation and related Conference resolutions

The Governing Body requested the Director-General:

(a) to take all the necessary measures for the promotion of the Work in Fishing Convention, 2007 (No. 188), and its accompanying Recommendation, in accordance with the resolutions adopted at the 96th Session (June 2007) of the International Labour Conference, which figure in the Appendix to document GB.300/3/1, taking into account the following resolutions are concerned: the resolution concerning promotion of the ratification of the Work in Fishing Convention, 2007; the resolution concerning port State control; the resolution concerning tonnage measurement and accommodation; and the resolution concerning the promotion of welfare for fishers.

102
resources available for the promotion of international labour standards and for sectoral activities under the regular budget and any voluntary contributions that can be obtained from extra-budgetary donors;

(b) to make concrete proposals in due course to the Governing Body, with regard to the implementation of the above mentioned.

**THE ILO ACTION PLAN FOR GENDER EQUALITY**

The Governing Body took note of the Action Plan for Gender Equality\(^1\) and requested the Director-General that it be kept informed about the progress and results of the Action Plan's implementation, with the intention that the Action Plan should be successfully acted upon by the entire Office.

**REPORT AND CONCLUSIONS OF THE ELEVENTH AFRICAN REGIONAL MEETING**

*ADDIS ABABA, 24–27 APRIL 2007*

The Governing Body requested the Director-General:

(a) to draw the attention of the governments of member States of the African region and, through them, that of their national employers' and workers' organizations, to the conclusions\(^2\) adopted by the Meeting, in particular, the time-bound targets they contain, and to the resolution on Africa's representation on the Governing Body of the International Labour Office;\(^3\)

(b) to take these conclusions into consideration when implementing current programmes and in developing future programme and budget proposals;

(c) to transmit the text of the conclusions: (i) to the governments of all member States and, through them, to national employers' and workers' organizations; (ii) to the international organizations concerned, including the international non-governmental organizations having consultative status; and decided to place a document on the composition of the Governing Body, including reference to the 1986 Instrument of Amendment to the ILO Constitution, on the agenda of its 301st Session (March 2008).

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

*Governing Body conclusions*

— Considered all of the information before it including the comments and information provided by the Permanent Representative of Myanmar. It noted the progress reported in the operation of the Supplementary Understanding (SU) up to the time of public demonstrations and their suppression at the end of September 2007, including the educational activity that had been jointly undertaken by the Ministry of Labour and the ILO.

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1. The full version of the Action Plan is reproduced in the appendix to document GB.300/5(Rev.).
2. The conclusions adopted by this Regional Meeting are reproduced on pages 127 to 136 below.
3. This resolution is reproduced on page 137 below.
Expressed, however, its serious concern at the Government’s crackdown in response to the recent peaceful protests. In this respect, it noted with deep regret the imprisonment of persons exercising their fundamental right to freedom of association and the freedom of expression it entails, and called on the Government to comply fully with its responsibilities in accordance with Convention No. 87, which it has ratified. The long prison sentences given on 7 September 2007 to six activists should be reviewed and the persons concerned released. The Governing Body also noted with concern the detention of persons associated with the facilitation of forced labour complaints under the SU. This clearly contradicted the sense of the SU and the Governing Body called on the Government immediately to release those persons, in particular Daw Su Su Nway and U Min Aung.

Expressed its full support for the United Nations Country Team in Myanmar and its leadership, expressing its deep regret at the Government’s recent decision that the Resident Coordinator should leave the country.

Recognized that the situation in Myanmar was unstable. It urged the Government to continue the dialogue process, in a balanced and results-orientated manner, towards domestic reconciliation and forward-looking solutions to the current difficulties. It was too early fully to assess what impact the recent civil unrest and its suppression had had on the current and future operational prospects of the SU. The Governing Body further agreed that, whilst the ILO activity for the eradication of forced labour was an important contribution to efforts to improve the rights and lives of citizens in Myanmar, it could not be considered in isolation and was dependent on the general environment and the evolution of current dialogue initiatives.

Called therefore on the Government of Myanmar to make at the highest level an unambiguous public statement that all forms of forced labour were prohibited throughout the country and would be duly punished. The Government should ensure that the mechanism provided by the SU remained fully functional with no further detention or harassment of complainants, facilitators or others, and that it fully applied to the military authorities. Full attention should be given to preventing the recruitment of child soldiers.

Further called for the putting into place of an appropriate network towards ensuring the nationwide application of the SU, including in the combat zones, and to ensure that forced labour victims were able to easily access the complaints mechanism. It was understood that the SU concluded on 26 February 2007 might be extended. It instructed the Office to undertake a full review of the operation of the SU for submission to the Governing Body at its March 2008 session together with recommendations for both the SU’s future and the ILO’s ongoing role in Myanmar.

Finally, again recalled that all these activities had to serve and strengthen the objective of ending forced labour in Myanmar through the full implementation of the recommendations of the 1998 Commission of Inquiry and all of the related decisions of the International Labour Conference and the Governing Body.
MEASURES TAKEN BY THE GOVERNMENT OF BELARUS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION OF INQUIRY ESTABLISHED TO EXAMINE THE OBSERVANCE OF THE FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948 (No. 87), AND THE RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION, 1949 (No. 98)

Information provided by the Government of Belarus on the measures taken to implement the recommendations of the Commission of Inquiry

Governing Body conclusions

— The Governing Body took note of the information provided by the Ministry of Labour of Belarus and welcomed the Government’s stated intention to reach an agreement between all parties concerned on the question of trade union legislation.

— It underlined that solutions based on consensus and dialogue had to be aimed at the full implementation of the recommendations of the 2004 Commission of Inquiry. All trade unions and employers’ organizations should be able to function freely and obtain recognition in law and in practice.

— The Governing Body noted that the Committee of Experts on the Application of Conventions and Recommendations would be reviewing the state of the legislation and its conformity with Conventions Nos 87 and 98 at its next meeting.

— While it trusted that significant progress towards satisfactory solutions would be made in Belarus, the Governing Body would review developments with due care at its March 2008 session.

REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

348th Report

The Governing Body examined and adopted the 348th Report of its Committee on Freedom of Association.¹

REPORT OF THE WORKING GROUP ON THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body:

(a) decided that the structure put in place for the 96th Session (2007) of the International Labour Conference would be used again for the 97th Session (2008) of the Conference and that the amendments proposed by the Working Group on the International Labour Conference would be taken into account when planning that session;

(b) renewed the mandate of the Working Group on the International Labour Conference to permit it, during the 301st Session (March 2008) of the Governing Body, to decide upon the last details regarding the organization of the 97th Session (2008) of the Conference, without going back over the items already approved by the Governing Body at its present session.

Financial questions

Programme and Budget for 2006–07

Regular budget account

The Governing Body delegated its authority under article 16 of the Financial Regulations and requested the Director-General to submit proposals for any necessary transfers within the 2006–07 expenditure budget to the Chairperson of the Governing Body for his approval, prior to the closing of the biennial accounts, subject to confirmation of such approval by the Governing Body at its 301st Session (March 2008).

International Institute for Labour Studies

Programme and Budget for 2008–09

The Governing Body endorsed the programme and approved the budget for the International Institute for Labour Studies for 2008–09.1

Proposed 2008–09 budgets for extra-budgetary accounts

International Occupational Safety and Health Information Centre (CIS)

The Governing Body approved the proposed 2008–09 income and expenditure budget for the extra-budgetary account of the International Occupational Safety and Health Information Centre.2

Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR)

The Governing Body approved the income and expenditure estimates for 2008–09 of the extra-budgetary account of the Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR).3

Establishment of an Independent Oversight Advisory Committee

The Governing Body:

(a) approved the establishment of an Independent Oversight Advisory Committee on a trial basis for a period of four years in accordance with the terms of reference.4

(b) requested the Director-General to commission a review of the Independent Oversight Advisory Committee to be conducted during its third year of operation and to report to the Governing Body thereon; and

(c) requested the Director-General, in concert with the Officers of the Governing Body, to propose candidates for membership of the Independent Oversight Advisory Committee for consideration by the Programme, Financial and Administrative Committee.

1 The programme and budget of the Institute for 2008-2009 is reproduced in document INS.B.XLIX/1, appended to document GB.300/PFA/3/1:

2 See the appendix to document GB.300/PFA/4/1.

3 See appendix I to document GB.300/PFA/4/2.

4 The terms of reference are reproduced in the appendix to document GB.300/PFA/5(Add.).
International Training Centre of the ILO, Turin

Report of the Working Party
The Governing Body:
(a) endorsed the broad strategy defined by the Working Party.¹
(b) requested the Office to put in place with the Turin Centre the necessary arrangements for the strategy to be implemented.²
(c) requested the Director of the Centre to initiate a resource mobilization strategy for the Turin Centre, in close coordination with the ILO, especially its Partnerships and Development Cooperation Department (PARDEV).

Results-based management
Progress report and review of the programming cycle
The Governing Body:
(a) endorsed the steps proposed³ to implement the strategy for results-based management in the ILO, account having been taken of the views expressed by the members of the Programme, Financial and Administrative Committee during the discussion of that agenda item;
(b) requested the Director-General to submit a six-year Strategic Policy Framework in November 2008 following intersessional tripartite consultations and tripartite discussions at the March 2008 session of the Governing Body and the 2008 session of the International Labour Conference, and taking into account the proposals contained in document GB.300/PFA/9/1.

Knowledge strategy
The Governing Body endorsed the results-based, knowledge-sharing strategy,⁴ account having been taken of the views expressed by the members of the Committee during the discussion of that item of its agenda.

Programme and Budget for 2008–09
Technical meetings reserve
The Governing Body decided that the following meetings would be financed by the technical meetings reserve for 2008–09: Celebration of the 60th Anniversary of Convention No. 98: The right to organize and bargain collectively in the 21st century; and Business Responses to the Demographic Challenge; and that a decision regarding the additional two meetings would be deferred to the next session of the Governing Body, pending further information and discussion.

¹ A summary of the funding strategy for the International Training Centre of the ILO is contained in the appendix to document GB.300/PFA/6/3.
² These arrangements are set out in paragraph 4, subparagraphs (a), (b) and (c), of GB.300/PFA/6/3 and read as follows: (a) In order to develop synergies and complementarities, the ITC-ILO and the ILO departments and regional offices should be encouraged, where appropriate, to engage jointly in programme identification, planning and resource mobilization, as well as in exchange of personnel to further the implementation of the ILO’s strategic objectives. This should enhance the predictability of resources necessary and required for the delivery of relevant services by the ITC-ILO. The ILO and the ITC-ILO should periodically report on cooperation and follow-up. (b) ILO departments and regional offices and the ITC-ILO should make arrangements to facilitate better coordination, including through a direct link between technical sectors and departments in headquarters and corresponding ITC-ILO technical departments and through the appointment of ITC-ILO focal points in regional offices. (c) ILO departments and regional offices and the ITC-ILO should liaise closely in the identification, formulation and implementation of ILO programmes of technical cooperation. Cooperation shall be strengthened in the training and capacity development components of the ILO programme of technical cooperation relevant to ITC-ILO areas of expertise.
³ See document GB.300/PFA/9/1.
⁴ See document GB.300/PFA/9/2.
Financial arrangements

The Governing Body, having taken note of the modified composition of the International Conference and its financial impact on the technical meetings reserve, confirmed the decision it had adopted on that issue and which is set out in the paragraph above.

Evaluations

Annual Evaluation Report 2006

The Governing Body requested the Director-General to implement immediately measures to strengthen further, and benefit from, the evaluation function of the Office, including through prompt establishment and implementation of a policy on follow-up to evaluations and of a system for tracking management response to recommendations emerging from evaluations.

Independent evaluation of the ILO country programme for Argentina: 2001–06

The Governing Body requested the Director-General to take into consideration the findings and recommendations outlined in documents GB.300/PFA/13/3 and GB.300/PFA/13/3(Add.), together with the deliberations of the Programme, Financial and Administrative Committee, for continuing support to Argentina through the ILO’s Decent Work Country Programme for Argentina: 2001–06.

Independent evaluation of the ILO country programme of support for Ukraine: 2000–06

The Governing Body requested the Director-General to take into consideration the findings and recommendations outlined in documents GB.300/PFA/13/4 and GB.300/PFA/13/4(Corr.), together with the deliberations of the Committee, for continuing support to Ukraine through the ILO’s Decent Work Country Programme.

Financial arrangements for the funding of the ILO Liaison Officer in Yangon

The Governing Body approved the additional cost of funding the work of the Liaison Officer in Yangon in 2008–09, estimated at US$554,200, which would be financed in the first instance from fund-raising of extra-budgetary resources or, failing that, from savings in Part I of the budget or, failing that, through Part II.

Personnel questions

Report of the International Civil Service Commission

The Governing Body:

(a) accepted the recommendations of the International Civil Service Commission, subject to its approval by the United Nations General Assembly, on the following entitlements: (i) an increase of 1.97 per cent in the base/floor salary scale; (ii) consequential increases in separation payments, for staff in the Professional and higher categories, with effect from 1 January 2008;

(b) authorized the Director-General to give effect in the ILO, through amendments to the Staff Regulations (as necessary), to the measures referred to in subparagraph (a), subject to their approval by the General Assembly.

1 See also page 115 below.
The Governing Body:
(a) authorized the Director-General to amend the Staff Regulations to give effect to the revised salary scales upon approval by the International Civil Service Commission; and
(b) requested the Director-General to report back to the Committee on the final outcome of the salary survey, at its 301st Session (March 2008).

**Matters related to the Administrative Tribunal of the ILO**

**Recognition of the jurisdiction of the Administrative Tribunal of the ILO by the Permanent Court of Arbitration (PCA) and by the South Centre**

The Governing Body approved the recognition of the Tribunal’s jurisdiction both by the Permanent Court of Arbitration (PCA) and by the South Centre, with immediate effect.

**REPORT OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS**

**Legal issues**

**Standing Orders of the International Labour Conference**

**Evaluation of Interim Provisions concerning the verification of credentials**

The Governing Body:
(a) invited the Conference, at its 97th Session (2008), to approve amendments of the Standing Orders of the Conference by including the text contained in Appendix I to document GB.300/13(Rev.), as an integral part of the Conference Standing Orders, taking into account a possible need to renumber the provisions;
(b) called upon the Office to continue to add entries to the database on the verification of credentials, as permitted by resources made available for this purpose;
(c) requested the Office to prepare a document for the November 2008 session of the Governing Body, addressing both legal and practical means by which the representation of Employers and Workers at the International Labour Conference could be facilitated, in particular focusing on the discrepancy between accredited and registered delegates.

**The campaign for the ratification of the 1997 Instrument of Amendment to the ILO Constitution**

The Governing Body:
(a) called on all governments that had not yet ratified or accepted the 1997 Instrument of Amendment to the ILO Constitution to do so without delay;
(b) requested the Office to redouble its efforts to encourage ratification or acceptance, in particular by: (i) encouraging systematic inclusion of the question of ratification or acceptance of the 1997 constitutional amendment in consultations with the Governments, Employers and Workers in the countries concerned; (ii) organizing a brief special event at the 97th Session (2008) of the International Labour Conference, financed out of approved resources, at which countries could deposit in the presence of the Director-General their instruments of ratification or acceptance, and at which all countries having ratified or accepted the 1997 constitutional amendment could be publicly recognized; (iii) taking other appropriate initiatives to achieve the goal of entry into force of the instrument in the nearest possible future.
International labour standards and human rights

Improvements in the standards-related activities of the ILO

Possible approaches and an interim plan of action to enhance the impact of the standards system

The Governing Body:

(a) approved the elements of the interim plan of action to enhance the impact of the standards system,1 taking into account the comments made during the discussion in the Committee on Legal Issues and International Labour Standards;
(b) invited the Office to submit a paper at its next session on the specific issues agreed upon with a view to following the progress made in the implementation of the strategy.

Requests for reports on the application of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185), under article 22 of the Constitution

The Governing Body decided:

(a) to inform the Members from which reports on the application of Convention No. 185 had been requested, in accordance with article 22 of the Constitution, that they could postpone the submission of their report;
(b) that no further reports on the application of Convention No. 185 should be requested until the year 2009.

The Governing Body called upon member States that had not yet ratified Convention No. 185 to renew their efforts to move towards the ratification of the Convention, and to ratify it as soon as they were in a position to do so.

Form for reports on the application of ratified Conventions (article 22 of the Constitution)

The Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

The Governing Body adopted the report form on the application of ratified Conventions (article 22 of the Constitution): the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as amended.2

Project on economic dynamics of international labour standards

The Governing Body requested the Office to take the necessary action for the continuation of research taking into account suggestions in paragraph 15 of document GB.300/LILS/10 and the comments made during the discussion of that document.

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

Purpose, duration and composition of the activities to be held in 2008 and new proposals for activities in 2008–09, including proposals resulting from the groupings of sectors’ advisory bodies

The Governing Body approved:

(a) the purpose, composition, duration and dates of the meetings on agriculture, oil and gas, and the maritime sector, and of the global dialogue forum on commerce, as pro-

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1 This interim plan of action is set out in paragraph 80 of document GB.300/LILS/6.
2 This report form is contained in appendix III of document GB.300/13(Rev.).
posed in Part A of document GB.300/STM/1 and listed in paragraph 18 of document GB.300/16, as follows:

(i) the purpose of the Meeting of Experts on agriculture would be to adopt a code of practice on safety and health in agriculture; eight experts would be nominated from each group and the meeting would last for eight days, from 22 to 30 September 2009;

(ii) the tripartite meeting on oil and gas would focus on recent developments, contract work employment, industrial relations, social dialogue and the implication of contract work issues in the oil production and oil transportation sectors; 12 Employer and 12 Worker participants would be invited and it would last for four days, from 11 to 14 May 2009;

(iii) the purpose of the maritime meetings would be to adopt guidelines for the implementation of the Maritime Labour Convention, 2006, and they would be held consecutively between 15 and 26 September 2008; the composition and exact duration of the two meetings would be determined later;

(iv) the purpose of the global dialogue forum on vocational education and skills development for commerce workers would be to examine current and future skills needs in the commerce sector as a basis for designing skills development strategies and vocational education programmes for workers to improve their employment prospects and employability, as well as to improve business productivity and competitiveness; the forum would last for two days, 24 and 25 November 2008, and would be composed of six Employer and six Worker representatives, and all governments would be invited; other Employer and Worker representatives could attend at their own expense;

(b) the activities contained in Part B of document GB.300/STM/1 and in paragraph 19 of document GB.300/16, recommended by advisory bodies for the following groups of sectors: manufacturing; infrastructure, construction and related industries; public services and utilities; and education and research;

(c) the examination of additional proposals by the Office in the March 2008 session of the Governing Body, following advisory body consultations.

Effect to be given to the recommendations of sectoral and technical meetings

Tripartite Meeting on the Production of Electronic Components for the IT Industries:
Changing Labour Force Requirements in a Global Economy
(Geneva, 16-18 April 2007)

The Governing Body:

(a) authorized the Director-General to communicate the Note on the proceedings: (i) to governments, requesting them to communicate the texts to the employers’ and workers’ organizations concerned; (ii) to the international employers’ and workers’ organizations concerned; (iii) to the international organizations concerned;

(b) requested the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the meeting in the conclusions.¹

¹ These conclusions are reproduced on pages 138 to 140 below.
The Governing Body:
(a) authorized the continued participation by the ILO in the development of safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels, and participation by an ILO tripartite delegation to the 51st Session of the IMO Subcommittee on Stability and Load Lines and on Fishing Vessels’ Safety, which would take place in 2008;
(b) invited the nomination of one representative each from the Governments, Employers and Workers to participate, at no cost to the Office, in the work of the correspondence group and in the ILO delegation to the 51st Session of the IMO Subcommittee on Stability and Load Lines and on Fishing Vessels’ Safety in 2008;
(c) requested the Office to continue to report to the Committee on Sectoral and Technical Meetings and Related Issues on any new developments concerning this work.

Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping: Third session
The Governing Body requested the Director-General to:
(a) proceed, in consultation with the constituents, to discuss and, if possible, agree on an agenda and date for the meeting with the IMO and Basel Convention secretariats; and
(b) report to the Committee on Sectoral and Technical Meetings and Related Issues on the outcome of those discussions at its session in March 2008.

Joint ILO/WHO Meeting on the Revision of the International Medical Guide for Ships (IMGS)
(Geneva, 25–26 July 2007)
The Governing Body:
(a) noted the report of the Joint ILO/WHO Meeting on the Revision of the International Medical Guide for Ships and the publication of the IMGS by the WHO as a Joint WHO/IMO/ILO publication; and
(b) requested the Office to confer with the WHO, in consultation with the constituents concerned and taking into account established practices between the two organizations, with the view to proposing an appropriate mechanism to review on a five-year basis and revising as appropriate the International Medical Guide for Ships, as well as assessing the financial implications to support this process.

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION
The ILO’s technical cooperation programme 2006–07
The Governing Body:
(a) encouraged the Director-General further to strengthen technical cooperation in all regions with an emphasis on Africa and least developed countries, resource mobilization, and effective delivery;
(b) confirmed that the ILO should continue to play its role in contributing to the UN system’s efforts to maximize coordination, coherence and relevance of operational programmes;
(c) requested the Director-General further to integrate the International Training Centre of the ILO, Turin, in the delivery of the ILO’s technical cooperation programme.
Implementation of Decent Work Country Programmes

The Governing Body called upon the Office to take into account the comments and observations made by the Committee on Technical Cooperation during the 300th Session of the Governing Body (November 2007); and, on a regular basis, to provide to its future sessions status reports highlighting the formulation, content, implementation, outcomes and impact of Decent Work Country Programmes in so far as technical cooperation was concerned.

Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work

Technical cooperation priorities and action plans regarding the elimination of discrimination in employment and occupation

The Governing Body endorsed the second plan of action on the principle and right of non-discrimination, and requested that it be kept informed, through the Committee on Technical Cooperation, of the implementation of the activities proposed.

REPORT OF THE DIRECTOR-GENERAL 1

Obituary

The Governing Body requested the Director-General to convey its condolences to Mr Heribert Maier's family, to the International Trade Union Confederation and to UNI Global Union, as well as to Mr Benjamin Aaron’s family and to the Government of the United States.

Arrangements for the Eighth European Regional Meeting

The Governing Body decided to hold the Eighth European Regional Meeting in early 2009 in Lisbon, Portugal.

Appointment of a Regional Director

The Governing Body took note of the appointment of Ms Sachiko Yamamoto to the post of Director of the Regional Office for Asia and the Pacific, with the rank of Assistant Director-General.

Report of the committee set up to examine the representation alleging non-observance by France of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Termination of Employment Convention, 1982 (No. 158), made under article 24 of the ILO Constitution by the Confédération générale du travail – Force ouvrière

The Governing Body:

(a) approved the Committee’s report;
(b) invited the Government, in consultation with the social partners, to take such measures as might be necessary:  
(i) to ensure that the exclusions from the protection provided by the laws and regulations implementing the Termination of Employment Convention, 1982 (No. 158), were in full conformity with its provisions;

1 The Governing Body took note of the information submitted to it concerning the composition of the International Labour Organization, progress in international labour legislation and internal administration.
(ii) to give effect to Article 4 of the Termination of Employment Convention, 1982 (No. 158), by ensuring, in accordance with that Convention, that "contracts for new employment" could in no case be terminated in the absence of a valid reason;

(c) entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up the questions raised in this report with respect to the application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Termination of Employment Convention, 1982 (No. 158);

(d) decided to make that report publicly available and close the procedure initiated by the representation of the Confédération générale du travail – Force ouvrière alleging non-observance by France of Conventions Nos 111 and 158.

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Representation alleging non-observance by Japan of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), made under article 24 of the ILO Constitution by the National Union of Welfare and Childcare Workers

Representation alleging non-observance by the Russian Federation of the Recruitment and Placement of Seafarers Convention, 1966 (No. 179), made under article 24 of the ILO Constitution by the Federation of Maritime Transport Trade Unions (FPRMT)

The Governing Body decided these representations were receivable and established committees for their examination.

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

Committee of Experts on the Application of Conventions and Recommendations

The Governing Body, on the recommendation of its Officers, reappointed, for a period of three years, Mr Mario Ackerman (Argentina) and Mr Denys Barrow (Belize) as members of the Committee of Experts on the Application of Conventions and Recommendations, and requested the Director-General to convey to Mr Amadou Sô its deep gratitude for the services he had rendered to the ILO.

ILO Declaration Expert–Advisers

The Governing Body, on the recommendation of its Officers, reappointed, for a period of one year, the following persons as ILO Declaration Expert–Advisers:

— Ms Maria Cristina Cacciamali (Brazil)
— Dr Ahmed El Borai (Egypt)
— Mr Jean-Jacques Oechslin (France)
— Ms Nieves Roldan-Confesor (Philippines)
— Mr Robert White (Canada).


The Governing Body, on the recommendation of its Officers:

(a) approved the following composition for this Meeting: 14 Government experts for Parts 1 and 2 of the agenda, nominated after consultations with governments, seven Employer experts nominated after consultations with the Employers’ group, and seven Worker experts nominated after consultations with the Workers’ group of the Governing Body. The experts nominated should be well acquainted with the items on the agenda;
(b) approved that, in order to obtain the government nominations, the Director-General should approach the Governments of Bangladesh, Brazil, India, Philippines, Senegal, South Africa and the United States for Part 1 only, and of Armenia, Australia, Canada, Chile, Fiji, Islamic Republic of Iran and Poland for Part 2 only, and of Ethiopia, Italy, Jordan, Mexico, Morocco, Norway and Turkey for both Parts. The Governing Body also approved a reserve list which included the Governments of the following countries: Argentina, Cambodia, Croatia, Côte d’Ivoire, Ecuador and Egypt;

(c) approved the following agenda for the Meeting:

- Part 1: Setting international standards for child labour statistics
- Part 2: Revision of international standards on measurement of working time.

18th International Conference of Labour Statisticians
(Geneva, 24 November-5 December 2008)\(^1\)

The Governing Body, on the recommendation of its Officers:

(a) approved the following composition for this Conference: in accordance with the practice governing previous International Conferences of Labour Statisticians, the governments of all member States would be invited to nominate participants who would attend at the expense of their respective governments. It was expected that the great majority, if not all, would be statisticians. In addition ten experts nominated by the Employers’ group of the Governing Body and ten nominated by the Workers’ group would be invited. The experts nominated should have adequate technical knowledge to enable them to participate actively in the Conference;

(b) approved the following agenda for this Conference:

- general report on past and planned statistical activities of the ILO and on the functioning of the International Conference of Labour Statisticians;
- measurement of working time;
- child labour statistics.

(c) approved that the reports prepared by the Office would examine concepts, statistical definitions and measurement methods and, except for the general report, would provide draft resolutions for examination and adoption by the Conference.

**INFORMATION DOCUMENTS**

Programme of meetings for the remainder of 2007 and for 2008–09

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td>2007</td>
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<tr>
<td>22 November-</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>Geneva</td>
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<tr>
<td>7 December</td>
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<tr>
<td>3-6 December</td>
<td>Tripartite Meeting of Experts on Labour Statistics: Updating the International</td>
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<td></td>
<td>Standard Classification of Occupations</td>
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<tr>
<td>10-13 December</td>
<td>Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical</td>
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<td>Cooperation and International Collaboration as Tools with a view to Developing</td>
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<td>a Policy Framework for Hazardous Substances</td>
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\(^1\) See page 108 above.
<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
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<tbody>
<tr>
<td><strong>2008</strong></td>
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<tr>
<td>14-18 January</td>
<td>Meeting of the ILO Declaration Expert-Advisers</td>
<td>Geneva</td>
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<tr>
<td>4-7 February</td>
<td>Joint IMO/ILO Ad Hoc Working Group on Liability and Compensation Regarding Claims for Death, Personal Injury and Abandonment of Seafarers</td>
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<tr>
<td>6-20 March</td>
<td>301st Session of the Governing Body and its committees</td>
<td>&quot;</td>
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<tr>
<td>1-10 April</td>
<td>Meeting of Experts on Labour Statistics; Child Labour Statistics and Measurement of Working Time</td>
<td>&quot;</td>
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<tr>
<td>22-23 May</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
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<tr>
<td>28 May-13 June</td>
<td>97th Session of the International Labour Conference</td>
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<tr>
<td>13 June</td>
<td>302nd Session of the Governing Body</td>
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<tr>
<td>15-26 September</td>
<td>Meeting of Experts to Adopt Guidelines on Port State Responsibilities for the Inspection of Labour Conditions on Board Ships/Meeting of Experts to Adopt Guidelines on Flag State Responsibilities under the Maritime Labour Convention</td>
<td>&quot;</td>
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<tr>
<td>29-31 October</td>
<td>Joint ILO–IMO–Basel Convention Working Group on Ship Scapping (Third Session)</td>
<td>&quot;</td>
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<tr>
<td>October</td>
<td>Business Responses to the Demographic Challenge</td>
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<tr>
<td>6-21 November</td>
<td>303rd Session of the Governing Body and its committees</td>
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<tr>
<td>24-25 November</td>
<td>Global Dialogue Forum on Vocational Education and Skills Development for Commerce Workers</td>
<td>&quot;</td>
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<tr>
<td>24 November-5</td>
<td>18th International Conference of Labour Statisticians</td>
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<tr>
<td>December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td><strong>2009</strong></td>
<td>(Advance information)</td>
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<tr>
<td>Second half of January</td>
<td>Global Dialogue Forum</td>
<td>&quot;</td>
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<tr>
<td>Second week of February</td>
<td>Global Dialogue Forum on Decent Work in Local Government Procurement for Infrastructure Provision</td>
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<tr>
<td>5-27 March</td>
<td>304th Session of the Governing Body</td>
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<tr>
<td>First quarter</td>
<td>Eighth European Regional Meeting</td>
<td>Lisbon, Portugal</td>
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<tr>
<td>April</td>
<td>Celebration of the 60th Anniversary of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), in the 21st Century</td>
<td>Geneva</td>
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<tr>
<td>11-14 May</td>
<td>Tripartite Meeting on Promoting Social Dialogue and Good Industrial Relations from Oil and Gas Exploration and Production to Oil and Gas Distribution</td>
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<tr>
<td>28-29 May</td>
<td>Governing Body Committee on Freedom of Association</td>
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<tr>
<td>3-19 June</td>
<td>98th Session of the International Labour Conference</td>
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<tr>
<td>19 June</td>
<td>305th Session of the Governing Body</td>
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116
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<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td>22-30 September</td>
<td>Meeting of Experts to Adopt a Code of Practice on Safety</td>
<td>Geneva</td>
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<td>and Health in Agriculture</td>
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<tr>
<td>5-20 November</td>
<td>306th Session of the Governing Body and its committees</td>
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<tr>
<td>26 November-11</td>
<td>Committee of Experts on the Application of Conventions and</td>
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<tr>
<td>December</td>
<td>Recommendations</td>
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<tr>
<td>Last quarter</td>
<td>15th Asian Regional Meeting</td>
<td>Bangkok, Thailand</td>
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1 Due to the long Easter weekend (21–24 March), the Governing Body will have to complete its work by Thursday, 20 March.
2 Subject to the decision to be adopted by the Governing Body as regards the date of its 302nd Session in June 2008.
3 Meetings proposed to be held consecutively between 15 and 26 September 2008, further to the decision adopted by the Governing Body on the basis of the recommendations of its Committee on Sectoral and Technical Meetings and Related Issues (GB.300/16).
4 Further to the decision adopted by the Governing Body on the basis of the recommendations of its Committee on Sectoral and Technical Meetings and Related Issues (GB.300/16).
5 Further to the decision adopted by the Governing Body as regards the financing of the meeting, on the basis of the recommendations of its Programme, Financial and Administrative Committee (GB.300/12/1).
6 Subject to the decision to be taken by the Governing Body on the basis of the recommendations of its Committee on Sectoral and Technical Meetings and Related Issues.
7 Further to the decision adopted by the Governing Body as regards the time and venue of the Eighth European Regional Meeting (GB.300/20/1).

**Requests from international non-governmental organizations wishing to be represented at the 96th Session (2007) of the International Labour Conference**

The Governing Body noted that its Officers had authorized the Director-General:

(a) to invite one workers organization and four other organizations¹ to be represented at the 97th Session (2008) of the International Labour Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the Committees dealing with the agenda items in which they had stated a special interest.

(b) to inform the organizations concerned so they might nominate one person only for each of the agenda items in respect of which their interest was recognized.

¹ The list of organizations invited is reproduced in document GB.300/Inf.3.
Official measures taken regarding decisions of the International Labour Conference¹

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1997²

Ratifications/acceptance

In accordance with article 3 of the Instrument for the amendment of the Constitution of the International Labour Organization, 1997, the following ratifications and acceptance have been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
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<tbody>
<tr>
<td>Poland</td>
<td>Ratification</td>
<td>9 October 2007</td>
</tr>
<tr>
<td>Samoa</td>
<td>Ratification</td>
<td>26 October 2007</td>
</tr>
<tr>
<td>South Africa</td>
<td>Ratification</td>
<td>1 October 2007</td>
</tr>
<tr>
<td>Vanuatu</td>
<td>Acceptance</td>
<td>21 September 2007</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is thus 102, including six by States of chief industrial importance.

¹ Period covered: 1 September to 31 December 2007.
International labour Conventions: Ratifications and denunciations

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications and denunciations concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organization, particulars of these ratifications and these denunciations have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
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</thead>
<tbody>
<tr>
<td><strong>Albania</strong></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
<td>11 October 2007</td>
<td>11 October 2008</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 5, paragraph 1 (a) and (b) of the Convention, the Government has undertaken also to cover by labour inspection tenants who do not engage outside help, sharecroppers and similar categories of agricultural workers as well as persons participating in a collective economic enterprise, such as members of a cooperative.</td>
<td></td>
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<tr>
<td></td>
<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
<td>12 December 2007</td>
<td>12 December 2008</td>
</tr>
<tr>
<td></td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>11 October 2007</td>
<td>11 October 2008</td>
</tr>
<tr>
<td></td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>11 October 2007</td>
<td>11 April 2008</td>
</tr>
<tr>
<td><strong>Argentina</strong></td>
<td>Workers’ Representatives Convention, 1971 (No. 135)</td>
<td>23 November 2006</td>
<td>23 November 2007</td>
</tr>
<tr>
<td><strong>Brazil</strong></td>
<td>Labour Inspection (Seafarers) Convention, 1996 (No. 178)</td>
<td>21 December 2007</td>
<td>21 December 2008</td>
</tr>
<tr>
<td><strong>Germany</strong></td>
<td>Chemicals Convention, 1990 (No. 170)</td>
<td>23 November 2007</td>
<td>23 November 2008</td>
</tr>
<tr>
<td><strong>Marshall Islands</strong></td>
<td>Maritime Labour Convention, 2006</td>
<td>25 September 2007</td>
<td>12 months after the date on which ratifications by at least 30 Members with a total share in the world gross tonnage of ships of 33 per cent have been registered.</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration</td>
<td>Date of effect</td>
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<tr>
<td>Paraguay</td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>21 December 2007</td>
<td>21 December 2008</td>
</tr>
</tbody>
</table>

**II. Denunciations**

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
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</thead>
<tbody>
<tr>
<td>Slovakia</td>
<td>Fee-Charging Employment Agencies Convention, 1933 (No. 34)</td>
<td>25 July 2007</td>
<td>25 July 2008</td>
</tr>
</tbody>
</table>

1 In its report on the application of Conventions Nos 34 and 144, received by the Office in January 2007, the Government advised of the following:

"After consultations with social partners, the Government of the Slovak Republic deems Convention No. 34 as obsolete, and therefore it shall use the provisions of Article 11 of Convention No. 34 to denounce it. (…)"

"…As regards the Private Employment Agencies Convention, 1997 (No. 181), the Government of Slovak Republic, after changes in the labour legislation and in the area of the employment services, intends to ratify Convention No. 181, after consultation with social partners, over the course of 2007–08."
Memorandum of Understanding between the General Secretariat of the Organization of American States and the Director-General's Office of the International Labour Organization regarding Technical Cooperation in the Promotion of Decent Work

The parties to the present Agreement, the General Secretariat of the Organization of American States (GS/OAS), represented by its Secretary General, Mr José Miguel Insulza, domiciled to this effect at General Secretariat, Organization of American States, Washington, D.C., 20006-4499, USA, and the Office of the Director-General of the International Labour Organization (ILO), represented by its Director-General, Mr Juan Somavia, domiciled to this effect at Washington Office, International Labour Organization, Washington, D.C., 20036-5121;

Considering Article I (on "Mutual Consultation), and Article II (on "Proposal of Agenda Items"), and Article VI (on "Administrative Arrangements") of the "Agreement between the International Labour Organisation and the Organisation of American States", approved by the Governing Body of the ILO on 11 March 1950 and by the Council of the OAS on 3 May 1950.

Mindful that the GS/OAS is the Technical Secretariat of the Inter-American Conference of Ministers of Labor (IACML), and as such must ensure the implementation of that body’s Declarations and Plans of Action.

Considering that since its beginning in 1963, the IACML is the principal forum for discussion and political decision-making on labour matters of the hemisphere.

Recognizing that the GS/OAS, in accordance with article 112(h) of the OAS Charter, includes among its functions the establishment of relations of cooperation, in accordance with decisions reached by the General Assembly or the Councils, with the Specialized Organizations as well as other national and international organizations;

Mindful that the International Labour Organization is a specialized agency of the United Nations that aims to promote an international, regional and national decent work agenda.

Agree as follows:

Article 1

The GS/OAS and the Director-General’s Office of the ILO will work together on matters related to the promotion of decent work, in respect of:

(a) the preparation of the Inter-American Conference of Ministers of Labor and the technical follow-up of its Declarations, Plans of Action, reports and resolutions of its Working Groups; as well as other initiatives and activities engaged by the Conference;

Translation

The parties to the present Agreement, the General Secretariat of the Organization of American States (GS/OAS), represented by its Secretary General,

Mr José Miguel Insulza, domiciled to this effect at General Secretariat, Organization of American States, Washington, D.C., 20006-4499, USA, and the Office of the Director-General of the International Labour Organization (ILO), represented by its Director-General, Mr Juan Somavia, domiciled to this effect at Washington Office, International Labour Organization, Washington, D.C., 20036-5121;

Considering Article I (on "Mutual Consultation), and Article II (on "Proposal of Agenda Items"), and Article VI (on "Administrative Arrangements") of the "Agreement between the International Labour Organisation and the Organisation of American States", approved by the Governing Body of the ILO on 11 March 1950 and by the Council of the OAS on 3 May 1950.

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Mindful that the International Labour Organization is a specialized agency of the United Nations that aims to promote an international, regional and national decent work agenda.

Agree as follows:

Article 1

The GS/OAS and the Director-General’s Office of the ILO will work together on matters related to the promotion of decent work, in respect of:

(a) the preparation of the Inter-American Conference of Ministers of Labor and the technical follow-up of its Declarations, Plans of Action, reports and resolutions of its Working Groups; as well as other initiatives and activities engaged by the Conference;
(b) the follow-up to the Declaration and Plan of Action of Mar del Plata, as well as socio-economic and labour agreements reached within the framework of the Summit of the Americas process;

c) the elaboration of studies and the realization of workshops to be defined on decent work and associated themes (e.g. employment, entrepreneurship, cooperatives and vocational training, fundamental principles and rights at work, occupational safety and health, and labour relations), as well as such others as may emerge from the IACML.

Article 2
Budgetary limitations

The financial obligations incurred by the GS/OAS and the Office of the Director-General of the ILO as a result of this Memorandum of Understanding shall be subject to the programme and budget, the norms, rules and regulations in force for each of the parties in respect of budgetary and financial matters, and to the decisions of their respective governing bodies.

Article 3
Entry into force

The present Memorandum of Understanding will enter into force upon the date on which it is signed by the authorized representatives of the GS/OAS and the Office of the Director-General of the ILO and will remain in force indefinitely.

Article 4
Modification, amendment and termination

The present Memorandum of Understanding may be modified with the mutual consent of the parties. Proposed amendments must be submitted to the other party in writing and will enter into force three months after their acceptance.

Either of the parties may terminate the present Memorandum of Understanding unilaterally by notifying the other party in writing, at least six months' before the date of termination. Terminations made under the present paragraph will not entitle the parties to submit claims for indemnities of any sort.

In any case of cancellation of this Memorandum of Understanding, the parties must fully implement agreements respectively entered into under this Memorandum of Understanding, or under such additional agreements or memoranda of understanding as may be concluded, in order entirely to complete the work and/or activities undertaken.

Article 5
Autonomy of the parties

In any circumstance or event related to this instrument, the parties will retain the individuality and autonomy of their respective legal, technical and administrative structures and in specific consequence thereof, will assume the resulting responsibilities.

Article 6
Institutional coordination

The Technical Secretariat of the Inter-American Conference of Ministers of Labor will be the body within the GS/OAS responsible for the implementation of the present agreement and the coordination of the activities described therein.
In witness thereof, the undersigned representatives of the GS/OAS and of the Office of the Director-General of the ILO sign the present agreement in duplicate in Spanish, at the places and dates indicated next to the signatures.

For the General Secretariat of the Organization of American States [signed]
Mr José Miguel Insulza
Secretary General-OAS
Place: Washington, D.C.
Date:

For the Office of the Director-General of the International Labour Organization [signed]
Mr Juan Somavia
Director-General of the ILO
Place: Washington, D.C.
Date:
Memorandum of Understanding between the General Secretariat of the Organization of American States and the International Labour Organization regarding Technical Cooperation in Promoting a Gender Perspective in Labour and Employment Policies

The parties to the present Agreement, the General Secretariat of the Organization of American States (hereinafter the GS/OAS), a public international organization, with headquarters at 1889 F Street, N.W., Washington, D.C., 20006-4499, represented by its Secretary General, Mr Jose Miguel Insulza, and the International Labour Organization (hereinafter International Labour Office), with headquarters in Geneva, Switzerland, through the International Labour Office (hereinafter the ILO), represented by its Director-General, Mr Juan Somavia, domiciled for the purposes of this Memorandum of Understanding at its Washington Office, International Labour Organization, Washington, D.C., 20036-5121,


Mindful that the GS/OAS is the Technical Secretariat of the Inter-American Conference of the Ministers of Labor (hereinafter the IACML) and as such must ensure the implementation of that body's Declarations and Plans of Action, especially through the exchange activities undertaken within the framework of the Inter-American Network for Labor Administration (hereinafter the RIAL);

Being aware that the ILO is a specialized agency of the United Nations that aims to promote an international, regional and national decent work agenda;

Recalling that the Agenda for the Hemisphere 2006-15 reaffirms the importance of the RIAL, proposed by the GS/OAS and the ILO, as an IACML mechanism for cooperation in the field of labour administration;

Considering that the Inter-American Commission of Women (hereinafter the CIM), is a specialized body of the OAS, and is the principal forum for generating hemispheric policy to promote women's rights and gender equality;

Mindful that the Agenda for the Hemisphere 2006-15 considers the fight against and exclusion and the search for greater equality, especially of gender, to be crosscutting objectives in the construction of a fair globalization and in providing a more stable basis for democratic institutions;

Considering that the XIV Inter-American Conference of Ministers of Labor (IACML) reiterated the agreement of Ministers of Labour with the articulation of policies that mainstream a gender perspective, and stressed the importance of carrying out studies on the subject and of promoting the exchange of successful practices mainstreaming a gender perspective in public policies; and

That the GS/OAS is the central and permanent organ of the Organization of American States (OAS) and is able to establish and promote relations of cooperation in accordance with article 112(h) of the Charter of the OAS and with OAS General Assembly resolution AG/RES. 57(I-0/71),

Agree as follows:

Article 1

The GS/OAS and the International Labour Office will work together on matters related to the promotion of gender equality, in respect of:
(a) Technical assistance to the IACML, its working groups and its advisory bodies, in the implementation of initiatives promoting gender equality, taken under its Declarations and Plans of Action, especially those within the framework of the RIAL;

(b) The elaboration of studies and the realization of workshops on mainstreaming a gender perspective in the policies, programmes and institutional activities of Labour Ministries and the advisory bodies of the IACML;

(c) The holding of meetings for inter-institutional coordination to advance the mainstreaming of a gender perspective in labour and employment policies.

Article 2
Coordination with other international bodies

In implementing the provisions of this Memorandum of Understanding, the GS/OAS and the International Labour Office shall seek to coordinate their activities with other international organizations dedicated to the promotion of gender equality, such as the CIM.

Article 3
Budgetary limitations

The financial obligations incurred by the GS/OAS and the International Labour Office as a result of this Memorandum of Understanding shall be subject to the programme and budget, the norms, rules and regulations in force for each of the parties in respect of budgetary and financial matters, and to the decisions of their respective governing bodies.

Article 4
Entry into force

The present Memorandum of Understanding will enter into force upon the date on which it is signed by the authorized representatives of the parties and will remain in force indefinitely.

Article 5
Modification, amendment and termination

The present Memorandum of Understanding may be modified with the mutual consent of the parties. Proposed amendments must be submitted to the other party in writing and will enter into force three months after written acceptance thereof.

Either of the parties may terminate the present Memorandum of Understanding unilaterally by notifying the other party in writing, at least six months' before the date of termination. Terminations made under the present paragraph will not entitle the parties to submit claims for indemnities of any sort.

In any case of cancellation of this Memorandum of Understanding, the parties must fully implement agreements respectively entered into under this Memorandum of Understanding, or under such additional agreements or memoranda of understanding as may be concluded, in order entirely to complete the work and/or activities undertaken.

Article 6
Autonomy of the parties

In any circumstance or event related to this instrument, the parties will retain the individuality and autonomy of their respective legal, technical and administrative structures and in specific consequence thereof, will assume the resulting responsibilities.
Article 7
Institutional coordination

The Executive Secretariat for Integral Development (SEDI), as the Technical Secretariat of the IACML, will be the body within the GS/OAS responsible for the implementation of the present Memorandum of Understanding and the coordination of the activities described therein, while the ILO Regional Office for Latin America and the Caribbean will hold this responsibility in respect of the International Labour Office.

In witness thereof, the undersigned representatives of the GS/OAS and of the Office of the Director-General of the ILO sign the present Memorandum in duplicate in Spanish, at the places and dates indicated next to the signatures.

For the General Secretariat of the Organization of American States

[Signed]
Mr José Miguel Insulza
Secretary General-OAS
Place: Puerto España.
Date: 11 September 2007

For the Office of the Director-General of the International Labour Organization

[Signed]
Mr Juan Somavia
Director-General of the ILO
Place: Puerto España.
Date: 11 September 2007
CONCLUSIONS ADOPTED

The Decent Work Agenda in Africa 2007–15

1. Ministers and representatives of governments and leaders of employers’ and workers’ organizations participating in the 11th African Regional Meeting thank the Government of Ethiopia for hosting this event. Its hospitality and efficient organization have contributed greatly to its success.

2. The Regional Meeting was honoured by the presence of HE Prime Minister Meles Zenawi of the Federal Democratic Republic of Ethiopia, HE President Blaise Compaoré of Faso, HE President Jakaya Mrisho Kikwete of the United Republic of Tanzania, Mr Abdoulie Janneh, Executive Secretary of the UN Economic Commission for Africa and Ms Gertrude Mongella, President of the Pan African Parliament. In addition, Mr Kemal Derviş, Administrator of the UNDP, gave a keynote speech to the Meeting. Mr Jose Vierra da Silva, Minister of Labour and Solidarity of Portugal and Ms Nicole Ameline, Ambassador at Large in charge of Social and Parity Issues for France also participated in the Meeting. The high-level guests’ addresses made an important and substantive contribution to the debates at the Regional Meeting.

3. The delegates commend the Director-General’s Reports to the Meeting, the Decent Work Agenda in Africa 2007-15 and ILO activities in Africa 2004–06. They also welcomed the Reports prepared for the Meeting on African employment trends and Success Africa: Partnerships for Decent Work — Improving Peoples’ Lives (Vol. 2).

4. In adopting these conclusions, the Decent Work Agenda in Africa 2007-15, the Regional Meeting commits the ILO’s national tripartite constituents and the Office to a series of ambitious targets for the development of integrated Decent Work Country Programmes (DWCPs) and to increased collaboration with partner agencies to accelerate progress towards the agreed international development goals, including the Millennium Development Goals (MDGs).

5. The Decent Work Agenda in Africa 2007-15 also constitutes a consolidation of the actions undertaken by the ILO and its constituents to follow up on the conclusions of the Ouagadougou Summit of 2004 which adopted a Declaration, Plan of Action and Follow-up Mechanism on Employment and Poverty Alleviation in Africa. The Ouagadougou Summit marked a major step forward in the development of continent-wide action on the agreed priority of placing employment creation for poverty alleviation as an explicit and central objective of economic and social policies at national, regional and continental levels.

Mainstreaming decent work into national, regional and international development strategies

6. African economies are growing at a high rate with many countries exceeding 5 per cent GDP growth per year, and few dropping below 2 per cent. This growth performance should still be improved. At the same time, the current growth rate is not yet generating sufficient decent work opportunities. The continent’s recovery is too narrowly based on high prices for a number of Africa’s commodity exports and is not reaching many working women and men. Extreme poverty levels remain high at 37 per cent of the population in 2006, down only 1 per cent from a decade ago and up in absolute terms by 55 million people. Registered unemployment is 10 per cent, 46 per cent of the working-age population live in families which survive on less than US$1 per day and more than 80 per cent of the labour force is in subsistence agriculture and the large informal economy. Africa will need
to create 11 million jobs each year to 2015 simply to achieve unemployment rates that match the global average of about 6 per cent. This means that Africa needs to make growth more pro-jobs and pro-poor to achieve the goal of halving extreme poverty by 2015.

7. The Meeting stressed that the goal of generating decent work should feature prominently in national macroeconomic policies, as well as regional and international policy frameworks such as the New Partnership for Africa's Development (NEPAD), the Medium-Term Expenditure Frameworks and the World Bank's Poverty Reduction Strategies, and the IMF's Poverty Reduction and Growth Facility, and staff-monitored programmes. These macro policy vehicles must enable growth in employment and an improvement in the quality of employment, not least through the setting of appropriate minimum wage levels. If growth is broad-based, through productive employment and decent work, it generates a cycle of demand for future growth, which is based on both healthy domestic purchasing power and external demand for exports. Achieving a balance in macroeconomic policies must be addressed by increased efforts to promote policy coherence.

8. A number of delegates expressed apprehension about the implications of trade negotiations for non-agricultural market access (NAMA) for Africa's fragile manufacturing industries, especially the textiles and clothing sectors adversely affected by the phasing out of the Multi-Fibre Arrangement quotas. Poor policy mix and sequencing of import liberalization measures in some countries have virtually wiped out sectors that provided sustainable employment, incomes and growth, without providing for alternative employment opportunities. Furthermore, continued high protective barriers around industrialized country agricultural markets, including high tariffs on processed products, blocks expansion of sectors in which Africa has a comparative advantage. A much more integrated approach to employment policies that prepare protected sectors for global competition and promote investment in the infrastructure needed to support new export sectors is vital. Successful export promotion and investment attraction strategies are not just a matter of how much a country exports but what it exports and how integrated its export sectors are with the local economy.

9. Africa is in urgent need of a major improvement in the physical infrastructure for development. Progressing towards universal access to basic needs like food, shelter, water, health, education and sanitation leads to a steady improvement in worker productivity and generates employment opportunities in the construction, energy and related industries. While reaffirming the commitment to quality public services, if more choices are considered they should not be dictated by international institutions but should reflect an objective assessment of the best means of ensuring universal access efficiently and equitably. Increasing the poverty-reducing impact of greater trade requires that remote agricultural regions have access to improved means of communications and are able to get their products to export markets through better roads, rail links, airports, ports and better telecommunication networks. The development of infrastructure lends itself to more employment-intensive techniques which create opportunities for local job creation that serve as a form of social floor for low-income families. Ensuring strong linkages between infrastructure projects and local economies requires an equal investment in better social infrastructure facilities like support for rural micro, small and medium enterprises (MSMEs) and cooperatives. Africa must take full advantage of Aid for Trade initiatives to promote employment in such investments.

10. The role of the ILO in support of its constituents is vital to moving Africa on to a development path that massively increases the decent work opportunities for African women and men. The Regional Meeting endorses the mechanism of ILO DWCPs for the development and implementation of integrated national strategies for poverty reduction and sustainable development. It further welcomes the policy portfolio set out in the Decent Work Agenda in Africa 2007-15 as the compilation of the policy approaches and tools needed to build DWCPs. The DWCPs must be developed with the full involvement of the ILO's constituents. They are the ILO's specific contribution to the multilateral partnerships to imple-
ment agreed international development goals, including the MDGs, as well as to national growth and poverty reduction strategies and United Nations Development Assistance Frameworks (UNDAFs).

11. The Regional Meeting therefore calls on the ILO to work with its constituents to encourage all member States in Africa to have DWCPs by the end of 2009. It further calls on ILO constituents to contribute actively to the development, implementation, monitoring and evaluation of the programmes as well as the mobilization of the necessary resources. It requests the ILO to continue its close collaboration with partner agencies in the UN and multilateral systems to integrate the decent work approach into policies and programmes for the achievement of the MDGs, making full use of the Toolkit for Mainstreaming Employment and Decent Work recently endorsed by the Secretary-General’s Chief Executives Board. The Regional Meeting endorses the target of:

Three-quarters of member States mainstream assessment of the impact on the generation and maintenance of decent work opportunities into poverty-reducing development strategies and adopt national targets for the creation of sufficient decent jobs to absorb new labour market entrants and reduce by half the numbers of working poor.

Investing in enterprises and decent work opportunities in Africa

12. Investment and employment in Africa are constrained by the high cost of, and difficulty of, accessing, credit, problems in securing property rights and enforcing contracts, weak energy, transport and communications infrastructure, delays in the registration of businesses, a lack of transparency in the regulatory process and deficiencies in education and skills of the labour force. Many countries have made tremendous policy efforts to establish conditions for higher growth, in terms of a better-regulated financial environment, policy reforms to attract investment and development assistance, and improving the competitive environment to raise productivity and decent working conditions. Nevertheless, the bulk of African enterprises, many of which are operated by women, remain trapped in the informal economy, yielding owners and workers little more than survival-level incomes and inhibiting the exercise of their rights under labour laws and commercial laws on property rights and contracts. Africa needs a strategy for sustainable enterprise development and decent work. The strategy should include the creation of enabling environment, measures to improve the investment climate, macroeconomic stability, respect for workers' rights, and good governance. Particular attention should be given to policies that promote MSMEs and women's participation and entrepreneurship. The Meeting expressed support for the important role MSMEs can play in employment generation and in the upgrading of working conditions.

13. Multinational corporations investing in Africa need to abide by the provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, and need to link to the local supply chains in order to provide decent work. Our target is that:

Three-quarters of African countries adopt integrated strategies for sustainable enterprise development and the generation of decent work opportunities, with a special focus on assisting women entrepreneurs. Such strategies should include targets for the registration of at least half of all enterprises currently operating informally.

Decent work for Africa's youth

14. Africa has the youngest population in the world and her young women and men represent the continent’s best hope for getting onto a sustainable development path. However, the number of labour market entrants between the ages of 15 and 24 years far outpaces jobs for them, with youth unemployment at 20 per cent, a double of average unemployment. This young labour force loses out through lack of education, skills, job opportunities and
experience. As a result, the region loses its tremendous potential. Such high youth unemployment also makes them vulnerable to being sucked into delinquency and conflicts and is socially destabilizing. Ensuring that young women and men get the right start in their working lives, and give them the possibility to gain experience, is a top priority for the region’s DWCPs. Our target is:

The adoption by three-quarters of African countries of national policies and programmes to respond to the rapid and large rise in the numbers of young jobseekers and aimed at ensuring that sufficient decent work opportunities are available to bring a fall in the numbers of young unemployed workers and the working poor. Adopted policies and programmes should lead to a significant reduction in the current youth unemployment rate for Africa of nearly 20 per cent.

Closing the skills gap

15. The Meeting reiterates the importance of vocational education and training and skills development in generating employment, increasing productivity and competitiveness, and improving wages and incomes. Despite the huge scale of Africa’s decent work deficits the continent is suffering from shortages of skilled workers that are holding back growth and development. This is particularly the case in new information and communication technologies where a major drive to bridge the digital divides within countries and between Africa and other continents is essential. In some cases foreign investors have felt obliged to bring in expatriate workers to implement projects. This shows the need to increase the supply of qualified African workers and include investment in training and development assistance projects. The Meeting therefore agrees on the following target:

Three-quarters of all African member States critically review and implement, with the involvement of the social partners, national policies and strategies for education and training for all to facilitate their (re)integration into the labour market, as well as establish mechanisms for their implementation at national, regional, local and sectoral and enterprise levels. Such strategies should include annual targets for the provision of free universal primary education, and (re)training opportunities for the working poor, especially young people and women, with the aim of ensuring that half of Africa’s workforce has obtained new or improved skills by 2015.

Social inclusion through job creation for conflict prevention and reconstruction

16. The Meeting notes some considerable progress by Africa in containing and redressing the conflicts that have held back development but expresses grave concern that widespread poverty and social exclusion in many countries are sowing the seeds for potential future conflicts. The Meeting is convinced that growth and its equitable distribution through decent work at the local level help prevent conflicts. Social institutions, especially strong and representative employers’ and workers’ organizations, contribute to increased inclusion, more and better jobs and the processes of dialogue that are vital to conflict prevention. Furthermore, in societies recovering from conflict, equal emphasis needs to be placed on investing in the social as well as the physical infrastructure. Tripartism is a means of combining these two objectives. Our target is that:

All reconstruction and recovery programmes are discussed among the constituents and incorporate local economic development and employment-intensive investment approaches with a strong emphasis on building effective and accountable institutions for the world of work and for economic and social governance in general.

Investing in a basic social protection package for poverty reduction

17. Social protection for the vulnerable and needy is key in reducing poverty. However, only around 10 per cent of Africa’s labour force, principally those in the formal economy, are covered by statutory social security schemes, mostly old-age pensions. Extending
social protection is an investment that has a very high return in terms both of poverty reduction and in raising the productive potential of the economy. The Meeting noted that ILO research on a number of African countries shows that universalizing old-age pensions and child benefits for school children and orphans could reduce poverty by as much as 40 per cent while requiring a financial transfer representing only 3.5 per cent of GDP. The Meeting therefore agrees on the following target:

All African countries adopt coherent national social security strategies, including for the introduction or extension of a basic social security package that includes essential health care, maternity protection, child support for school-age children, disability protection and a minimum pension.

Tackling the HIV/AIDS crisis through workplace action

18. Nearly 6 per cent of the African population aged between 15 and 49 years is living with HIV/AIDS. Sixteen million workers and 2 million children live with it. The annual death toll has reached 2.4 million. The epidemic has reduced the labour force of the region by 0.5 per cent and growth by 0.7 per cent between 1992 and 2004. Antiretrovirals (ARVs) increase working life by an average of ten years, but their availability is still low and needs urgent increase. The ILO and its constituents in Africa have focused on promoting the use of the ILO code of practice on HIV/AIDS and the world of work. It is proving to be an important component in the drive for increased awareness of ways of preventing the spread of the epidemic, supporting those living with the virus, addressing stigma and discrimination and extending treatment. Furthermore, extending this vital work should feature prominently in DWCPs around the continent.

19. African governments, especially those invited to participate in the next G8 meeting, should propose strategies for the mobilization of more resources for HIV/AIDS programmes in Africa. In particular, resources are needed to accelerate the research for an HIV vaccine and for ARVs in order to reach a larger number of HIV-infected persons currently not on treatment. Our target is that:

All countries in Africa have national HIV/AIDS strategies to ensure that the workplace contributes to the overall objective of achieving universal access to prevention, treatment, care and support.

Implementing labour standards at the workplace

20. Although many African States have comprehensive laws concerning basic working conditions including occupational health and safety standards and minimum wages, systems to ensure their observance are weak. To raise productivity and improve living and working conditions it is important that the ILO’s tripartite constituents focus on bringing up to date both the content and means of implementation of laws and collective agreements concerning basic minimum conditions. The strengthening of labour inspectorates is a matter of priority. Our target is that:

Three-quarters of all African member States develop programmes for the improvement of working conditions, with specific national targets for reducing non-compliance with laws concerning hours of work and minimum pay, the reduction of occupational accidents, diseases and days lost to illness and accidents per worker, and a progressive increase in the number of labour inspectors in relation to workers.

Tripartism as a key governance mechanism for inclusive poverty-reducing growth

21. The Regional Meeting stresses that effective tripartism is a mechanism of governance that enables labour markets to function efficiently and equitably. The challenge and responsibility for the ILO and its constituents is to mobilize the potential of tripartism in Africa as a force to promote poverty reducing and socially inclusive development in the
context of competitive global markets. Tripartism furthermore can make a major contribution to improving the effectiveness and accountability of government. Ratification and application of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), is an important support to the development of tripartism.

22. Free and independent trade unions and employers’ organizations and strong institutions of social dialogue are bedrocks of democratic governance. They also have a major contribution to make to the success of Regional Economic Communities (RECs). The involvement of employers’ and workers’ organizations in the development, implementation, monitoring and evaluation of DWCPs and national development frameworks is vital for their success and ensures that they promote decent work. The ILO must step up its capacity-building work with employers’ and workers’ organizations in accordance with the 2002 ILC resolution on tripartism and social dialogue. Constituents should in particular benefit from more training programmes by the ILO International Training Centre. Similarly, for the Decent Work Agenda to become part of national development agendas, ministries of labour will also need to play an active role in national macroeconomic policies, as well as growth and poverty reduction strategies and other development frameworks. This requires the strengthening of labour administration institutions such as employment services, labour inspectorates and the agencies responsible for gathering labour market information. Our target is that:

All African States and RECs establish or further develop tripartite social dialogue institutions. New or existing mechanisms for tripartite social dialogue are fully utilized by governments in the preparation and implementation of DWCPs and national development strategies.

Freedom of association: Lifeblood of the ILO and a foundation for democracy

23. Effective tripartism rests on the foundation of freedom of association. With a total of 100 ratifications for the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), African member States are only six short of universal continent-wide ratification. However this creditable record must be matched in practice where considerable barriers remain in its implementation. Delegates urge the ILO to systematically examine the constraints on freedom of association and collective bargaining and to develop with countries programmes that would bring practice into conformity with ILO Conventions. Our target is therefore that:

All countries in the region adopt legislation to guarantee the rights to freedom of association and collective bargaining through effective and speedy administrative and judicial appeals and procedures.

Effective implementation of fundamental principles and rights at work

24. Fundamental principles and rights at work provide the basic rules and framework for development, have a direct impact on contributions to, and participation in, political and economic processes and thus improved governance. As the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up states, “the guarantee of fundamental principles and rights at work is of particular significance in that it enables the persons concerned to claim freely and on the basis of equality of opportunity their fair share of the wealth which they have helped to generate, and to achieve fully their human potential”. The pace of ratifications in Africa of the Conventions on which the Declaration is based has been particularly impressive in recent years. However, the major challenge remains translating commitments into effective protection and guarantees, with real enforcement of the relevant provisions. Our target is:

Universal continent-wide ratification, better implementation of ratified Conventions and greater effective respect for fundamental principles and rights at work.
25. Nearly 50 million African children are economically active, a number that amounts to a quarter of Africa's 5-14 year-olds and is still rising despite Africa's commitment to the elimination of child labour as demonstrated by the high ratification rate of the child labour Conventions. Child labour prevents or disrupts children's education, and denies them opportunities for acquiring knowledge and developing their potential in adult life to compete in the labour market. It perpetuates a vicious cycle in which poverty is transmitted from one generation to the next. It constitutes a serious impediment to the implementation of strategies for poverty reduction, employment creation and education and training programmes. The Regional Meeting expresses particular concern over children subjected to the worst forms of child exploitation, especially children forced into armed conflicts, as well as those affected by HIV/AIDS. The Meeting pledges to continue to build the strong political support and concerted action by national and local governments, employers' and workers' organizations, civil society and the international community required for the elimination of child labour, starting with its worst forms. Our target is that:

All African States prepare by 2008 time-bound national action plans for the elimination of the worst forms of child labour by 2015. Such action plans should form an integral part of national development strategies in order to ensure close coordination between education programmes, measures to combat HIV/AIDS and its economic and social impacts, and the implementation of labour laws on the minimum age for employment. They should be supported by the ILO's DWCPs.

26. The Regional Meeting expressed alarm that, 200 years after the abolition of the trans-Atlantic slave trade, the ILO estimates that 660,000 people are still in forced labour in sub-Saharan Africa, some 130,000 as a result of trafficking. It often occurs in the context of the breakdown of States but some countries also have to overcome a legacy of slavery with continued reports of discrimination and forced labour against the descendants of slaves. The Meeting endorsed the ILO global action plan on forced labour which calls for a global alliance with the aim of eliminating all forms of forced labour by 2015. Our target therefore is that:

All African States adopt national action plans as a matter of urgency to eradicate all forms of forced labour by 2015 as part of DWCPs and their development plans.

27. All discrimination in employment and occupation, whatever form it takes, restricts the freedom of human beings to develop their capabilities and to choose and pursue their professional and personal aspirations. It contributes to a sense of humiliation, frustration and powerlessness that profoundly affects society at large. The resulting waste of human talent and resources has a detrimental effect on productivity, competitiveness and the economy, as well as widening socio-economic inequalities and eroding social cohesion and solidarity and threatening political stability. The Regional Meeting highlights that elimination of discrimination at work underpins the concept of decent work for all women and men and is an indispensable part of African strategies for poverty reduction and sustainable economic development.

A special focus is needed on gender equality. The majority of African women work in rural areas in the agricultural subsistence economy, providing vital food security, and in urban areas in the informal economy. The formal economy employs less than 5 per cent of women. Social biases often pull girls out of school earlier, send them into the informal labour market an average of two years earlier than boys, paying them on average a third to a half less. Overcoming discrimination against women in the labour market, in society at
large and those with family responsibilities, including through investing in education and training, would make an enormous contribution to poverty-reducing growth. Our target is that by 2015:

All African States have anti-discrimination legislation in place and have adopted policies to promote equality of opportunity and treatment in respect of employment and occupation. Such policies should target an increase by 10 per cent in the labour market participation rate of women and a 25 per cent reduction in wage differentials.

Escaping the informal economy trap

29. The Regional Meeting identified the continuing growth of the informal economy in Africa as a major barrier to poverty reduction. Women are particularly prominent in the informal economy, partly because gender discrimination prevents them from finding formal jobs. Young women and men also often end up in informal work because of the paucity of formal sector job opportunities. Too many women and men engaged in informal activities are faced with insecure incomes, often bordering on the poverty level. They work under extremely poor working conditions with very little capital and rudimentary technology or access to legal protection. Many workers face difficulties in establishing whether or not an employment relationship exists and thus their rights under employment law. The ILO Employment Relationship Recommendation, 2006 (No. 198) provides useful guidance for strategies to extend the application of labour protections in order to remove workers from the informal economy.

30. Micro and small business operators also face many difficulties moving into the formal economy and securing property and contract rights. For both workers and employers, cooperatives provide an important means of strengthening productive activities and the provision of essential services. Furthermore, informal economy workers tend to have little or no access to formal mechanisms, such as insurance, pensions and social assistance, for coping with risks. This is particularly important for workers affected by HIV/AIDS who have an even greater need for a regular and reliable source of income to maintain a healthy diet and pay for their health care. The main elements of an integrated approach to upgrading the informal economy are: enterprise upgrading; skills development; the extension of social protection; improved observance of labour laws including on safe work, and organizing workers and employers. Our target is that by 2015:

Three-quarters of all African States adopt strategies to formalize the informal economy and extend protection to informal economy workers. Such strategies should integrate, among other things, policies for the increased registration of informal businesses, skills development, improved and safer working conditions, the extension of social protection coverage and the encouragement of freely chosen associations of informal economy workers and employers.

A fair deal for Africa’s migrant workers

31. Between 8 and 9 million Africans are living and working outside their countries of birth, most in Africa but many in Europe, the Gulf States and other continents. While low- or semi-skilled non-professional occupations predominate, there are also significant numbers of skilled workers and professionals among African migrants. The resulting skill drain is a major concern. A particular problem for many countries is the loss of skilled medical personnel from the health-care services of several African countries. However, labour migration also generates valuable remittances for families in the recipient countries. Increased mobility of working women and men across borders is set to become a permanent feature of the African and global economy. The treatment accorded to migrants often leads to discrimination and social exclusion. Avoiding this requires establishing explicit legislation, policy and administrative measures.

32. The implementation of the principles, guidelines and good practice models of the non-binding ILO Multilateral Framework on Labour Migration offers a comprehensive
approach to establishing national, regional and international policies, structures, mechanisms and practices effectively to govern labour migration in Africa. The Meeting stresses that regional policy should focus on minimizing and compensating for the brain drain, through increased knowledge opportunities for migrants, enterprise development, streamlining remittance channels and investment opportunities, and the adoption and effective implementation of the ILO's core migration standards. This requires concerted promotional efforts by the ILO's tripartite constituents, including through strategic alliances with relevant civil society organizations. Our target is that:

Three-quarters of all African States have policies to ensure that migrant workers have regular, authorized status and are fully protected by the labour legislation of the host country and granted equal treatment and opportunities by 2015.

Improving information for better policies

33. Adequate information to support labour market policies and programmes is essential, but in many countries is unavailable, unreliable or outdated. In most countries, what is required is an institutionalized and sustainable data collection and dissemination system. Moreover, available data sources suffer from lack of uniformity in concepts, coverage, scope and timing, since there is little coordination among the various government units that produce information, with often limited knowledge of what exists among other agencies or potential users. The overall objective of strengthening national capacity to produce and analyse reliable labour statistics and labour market information is to contribute to the goal of employment creation and poverty reduction monitoring in Africa. The Regional Meeting supports the work of the Forum on African Statistical Development and the ILO's African Labour Market Indicators Library Network (ALMIL). African experts should also play an active role in the 2008 International Conference of Labour Statisticians. The Meeting calls for an intensification of the effort to provide solid labour market information in all countries. The target is that:

By 2015 all member States are able to generate basic annual data on the size and composition of the workforce. At least half of all African member States have mechanisms in place by 2010 to produce labour market information and statistics for the monitoring of progress on the core dimensions of the Decent Work Agenda.

Implementing the Decent Work Agenda in Africa 2007-15

34. The Decent Work Agenda in Africa 2007-15 sets ambitious objectives for all ILO constituents and the Office. Implementing the targets for DWCPs will require a major mobilization of tripartism on the continent. We believe that a systematic and step-by-step approach will yield the results we hope for and to which African working women and men aspire. As an ILO contribution to the Ouagadougou follow-up mechanism, which calls for a general evaluation of the Summit decisions in 2009 and 2014, the ILO together with its constituents will regularly prepare and review progress on the road to 2015 in order to identify and share best practices and remedy shortcomings.

35. The Regional Meeting welcomes the African Decent Work Policy Portfolio set out in the Director-General's Decent Work Agenda in Africa 2007-15. It provides a comprehensive package of policy instruments and tools for discussion with the ILO's tripartite constituents in each country.

36. The Meeting further calls on the Office to develop its partnerships with other international agencies making full use of the Decent Work Toolkit. The Meeting urges all constituents and the Office to participate fully in the “One UN” pilot country initiative, and to review progress at regular intervals.

37. The Meeting welcomes the call by Africa's social partners for a Second Social Partners Forum in 2008. The Meeting endorses the Forum as providing a good opportunity
for African employers’ and workers’ organizations to contribute to the promotion of good governance as a means for effective and fair management of States and enterprises, as well as their own organizations. The Forum will also promote respect for the fundamental principles and rights at work.

38. The Meeting calls on the Office, working with the African Union (AU) Commission, the United Nations Economic Commission for Africa (UNECA), the African Development Bank (AfDB), RECs, the United Nations Development Programme (UNDP) and the ILO’s tripartite constituents to operationalize the decision of the 39th Conference of African Ministers of Finance, Planning and Economic Development (Ouagadougou, 2006) to establish a regional employment forum. The forum would provide a meeting place for all networks of unions, employers’ organizations, researchers and governments to share and develop best practice solutions to Africa’s employment challenges.

39. The Meeting requests the ILO, as its contribution to the networking process envisaged for the forum, to organize an annual African decent work symposium bringing together independent researchers, constituents, ILO field staff and partner agencies to review knowledge in selected aspects of the Decent Work Agenda with a view to ensuring that its policy portfolio stays up to date.

40. The Meeting calls on the ILO to develop a significant programme of support for the Decent Work Agenda in Africa 2007-15. Realizing the Agenda targets requires a strengthening of institutions from the local to the continental level in order to create conditions conducive to achieving the goal of full and productive employment and decent work for all. The ILO will therefore work with its African and international partners to develop a comprehensive approach with a special focus on improving governance of labour markets and strengthening the capacity of labour administrations and the social partners. The programme of support should also bolster the capacity of regional and continental structures such as the RECs, the AU, including the Pan African Parliament, as well as the ILO itself.

41. The Meeting calls on the Office to assist African member States in overcoming all obstacles to progress towards the achievement of the Decent Work Agenda, including those which could derive from bilateral or multilateral economic agreements.

42. The Meeting calls on the ILO to report on the implementation and achievement of these targets at the next African Regional Meeting.
Resolution on Africa’s representation on the Governing Body of the International Labour Office

* The 11th African Regional Meeting of the International Labour Organization, having met in Addis Ababa, Ethiopia, from 24 to 27 April 2007,

    Considering the general developments within the United Nations system of moving towards equitable permanent representation within its governing structures,

    Taking into account that Africa comprises the largest block within the International Labour Organization,

    Reaffirming the conviction that the ILO should remain the most representative, transparent and accountable UN body,

    Aware of the need for the ILO to continue as a leading UN agency that ensures equitable and proper geographical representation,

1. Calls for urgent action to be undertaken to ensure that Africa’s representation corresponds to its numerical and strategic importance;

2. Urges the Governing Body at its June 2007 session to request the Director-General of the ILO to prepare a comprehensive document to be submitted to the November 2007 Governing Body on the matter of criteria for geographical and country representation within the ILO Governing Body,

3. Urges that this process be carried through in a speedy manner and that a proposal is presented by the convening of the 97th Session of the International Labour Conference.
Tripartite Meeting on the Production of Electronic Components for the IT Industries: Changing Labour Force Requirements in a Global Economy

(Geneva, 16-18 April 2007)

CONCLUSIONS ADOPTED

Conclusions on the production of electronic components for the IT industries: Changing labour force requirements in a global economy

The Tripartite Meeting on the Production of Electronic Components for the IT Industries: Changing Labour Force Requirements in a Global Economy,

Having met in Geneva, from 16 to 18 April 2007,

Adopts this eighteenth day of April 2007, the following conclusions:

1. The information technology (IT) sector has been among the most dynamic and innovative in the globalized economy, creating millions of jobs and wealth worldwide. The rapid change experienced in the sector – due to globalization, technological and product innovation, productivity gains, price fluctuations, evolution in supply chains and skill requirements – is influencing global growth, competitiveness, investment decisions and regulatory mechanisms, employment and conditions of work in and around the IT industries.

2. The effect of change has been mixed for firms and workers, but the present background report and Meeting organized by the ILO offer opportunities to articulate solutions to problems identified by the tripartite constituents at various levels – international, national, and enterprise – through social dialogue.

3. Among issues to be carefully considered in addressing challenges for a healthy and dynamic sector capable of maintaining a high growth profile are the extent to which workers’ voices are heard in the decision-making process on change, and the content and implementation of voluntary employer initiatives on industrial sustainability, codes of conduct and corporate social responsibility (CSR), taking into account that management has the final responsibility to develop and sustain the enterprise.

Recent developments and social dialogue

4. Stakeholder engagement should reflect the reality of the industry, including – and as appropriate to the issue – a wide range of IT industry stakeholders and their interests – large, medium and small enterprises, their shareholders, workers’ representatives, customers and suppliers and, as appropriate, non-governmental organizations (NGOs).

5. The tripartite constituents re-emphasize the importance of and their commitment to social dialogue as defined by the ILO. Social dialogue exists in a climate where the core principles of freedom of association and collective bargaining as set out in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998 are fully respected. The core aspect of social dialogue, especially on terms and conditions of employment, rests on negotiation between employers’ and workers’ representatives.

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1. Throughout this text, when the term "workers’ representatives" is used, it refers to Article 3 of the Workers’ Representatives Convention, 1971 (No. 135), which reads as follows: “For the purpose of this Convention the term ‘workers’ representatives’ means persons who are recognized as such under national law or practice, whether they are: (a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned.”

2. The ILO broadly defines social dialogue to include all forms of information exchange, consultation, negotiation and collective bargaining between representatives of governments, employers and workers, and between the social partners themselves, on all issues of common interest.
6. Timeliness, industrial competitiveness, sustainable and continued employment and employability, and timing should be considered, among other issues, in the social dialogue process. The social partners are encouraged to share best practices and lessons learned, in order to strengthen social dialogue.

7. Capacity building for meaningful social dialogue is crucial. Governments, employers' and workers' organizations and the Office all have a role to play in building capacity among their constituents and through tripartite or bipartite mechanisms.

8. Governments have particular roles to play in the social dialogue process, notably to help establish legal and/or institutional frameworks for social dialogue, act as moderator and/or guarantor of agreements concluded between the social partners, and assist in the provision of compensatory training and welfare adjustments for enterprises and workers affected by change.

Adherence to recognized standards throughout supply chains

9. Long-term relationships between customers and suppliers are challenging in a fast-paced and highly competitive IT industry. In order to embark on long-term relationships, it is paramount that suppliers can rely on a productive and motivated workforce. Therefore, companies are interested in retaining such a workforce and benefiting from the resulting improvements to competitiveness, as are workers who strive to benefit from long-term employment relationships and good working conditions.

10. The Meeting considers that due to the global nature of the industry, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998, as well as the instruments that underpin them, are particularly relevant for the sector. Respect for these instruments can help to create an environment that will foster the Decent Work Agenda, in conjunction with the ILO programme to provide companies with expert advice on the realization of international standards. Governments have a specific role to play in translating ratified international instruments into national law. National laws are the legal basis for working conditions as well as regulations and collective bargaining agreements, where applicable. Without prejudice to the obligation of governments to ensure compliance with Conventions they have ratified, in countries in which the fundamental ILO core Conventions are not complied with, all parties should refer to them for guidance in their social policy.

11. In addition, the Meeting recognizes the importance of occupational safety and health standards and the need for them to be implemented to mitigate risks and create safe workplaces, throughout the sector.

12. The enforcement of the law is the exclusive responsibility of the government. However, due to the globalized nature of the industry, in connection with the fact that legal systems differ in the degree they offer protection for workers' rights, CSR voluntary activities (such as the Global e-Sustainability Initiative and the Electronic Industry Code of Conduct) as well as International Framework Agreements are examples of positive collaboration. These initiatives promote adherence to laws and regulations using contractual agreements, assessments, auditing, corrective action (which could include the termination of contracts as a last resort) and reporting mechanisms, as well as training and education. Although different points of view exist on how and to what extent workers and their representatives are currently involved in these activities, the Meeting agrees that their involvement is of primary importance.

1 In particular, paragraph 20 of the Declaration is relevant. It reads: 'To promote employment in developing countries, in the context of an expanding world economy, multinational enterprises, wherever practicable, should give consideration to the conclusion of contracts with national enterprises for the manufacture of parts and equipment, to the use of local raw materials and to the progressive promotion of the local processing of raw materials. Such arrangements should not be used by multinational enterprises to avoid the responsibilities embodied in the principles of this Declaration.'
13. The Meeting also notes the efforts made to involve stakeholders and suggests that these could be continued and expanded.

14. The Meeting notes as a very positive development current voluntary efforts being made towards transparency of supply chains.

*Lifelong learning to remain competitive*

15. As a guiding principle, the Meeting recognizes the ILO Human Resources Development Recommendation, 2004 (No. 195), that calls on governments, employers and workers to renew their commitment to lifelong learning.\(^1\) The Meeting also recognizes that long-term employment can facilitate lifelong learning.

16. Lifelong learning is a shared responsibility and each of the tripartite constituents has a different and important role to play. It should be seen as an investment, it needs to be attractive, accessible, incentives are essential and the acquired skills need to be certified. If implemented on time, it can increase employee adaptability and avoid retrenchment through redeployment, helping to maintain the competitiveness of the industry.

17. The Meeting recognizes that remaining competitive in such a rapidly changing industry is a challenging task and that it is more important to train for long-term competencies than specific skills. Skills development policies and curricula and training programmes need to be developed. The Meeting has encouraged the participants to develop better comprehension, promote partnership and open novel avenues of cooperation.

18. Lifelong learning is also fundamental to continuously update training to deal with occupational safety and health risks and nurture a preventative safety culture.

*Priority areas for ILO action*

19. The ILO should continue to expand its efforts in the framework of Decent Work Country Programmes to improve working conditions in the sector by making use of social dialogue and fostering respect of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998.

20. The ILO should further investigate industry-specific occupational safety and health risks and continue to promote occupational health and safety standards relevant to the IT sector.

21. The Office should continue to provide technical assistance to member States in regard to labour inspection, so that they can improve their effectiveness and efficiency and make use of specific labour inspection training tools or other ILO guidance relevant to the sector.

22. The ILO should identify and promote best practices on improving working conditions, occupational safety and health as well as lifelong learning. It should encourage enterprises to share information on these issues with each other as well as with their suppliers and contractors.

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\(^1\) Paragraph 6 of Recommendation No. 195 was particularly relevant. "(1) Members should establish, maintain and improve a coordinated education and training system within the concept of lifelong learning, taking into account the primary responsibility of government for education and pre-employment training and for training the unemployed, as well as recognizing the role of the social partners in further training, in particular the vital role of employers in providing work experience opportunities. (2) Education and pre-employment training include compulsory basic education incorporating basic knowledge, literacy and numeracy skills and the appropriate use of information and communication technology."